

WEDNESDAY, JANUARY 30, 1991

THIRD LEGISLATIVE DAY

The House met at 2:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Howard Dailey, Swallows Chapel Community Church, Rickman, Tennessee.

Representative John Mark Windle led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 96

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under Rule No. 20:

Representative Bell; due to out-of-state commitment.

Representative Garrett.

TRANSPORTATION COMMITTEE
January 29, 1991

MR. SPEAKER: Your Transportation Committee reports that we have

WEDNESDAY, JANUARY 30, 1991 -- THIRD LEGISLATIVE DAY

carefully considered and recommend for adoption: House Joint Resolution(s) No(s). 3, 4, and 5.

ROBB ROBINSON, Chair.

Under the rules, House Joint Resolution(s) No(s). 3, 4 and 5; was/were transmitted to the Calendar and Rules Committee.

**ENROLLED BILLS
January 29, 1991**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolution(s) No(s). 28; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

**SIGNED
January 29, 1991**

The Speaker announced that he had signed the following: House Joint Resolution(s) No(s). 28.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE
January 29, 1991**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 28; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

**REPORT OF CHIEF ENGROSSING CLERK
January 29, 1991**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolution(s) No(s). 28; for his action.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

WEDNESDAY, JANUARY 30, 1991 -- THIRD LEGISLATIVE DAY

UNFINISHED BUSINESS

REPORT OF SELECT COMMITTEE ON RULES

Rep. Purcell moved adoption of the Rules Committee Report as amendments to the Temporary Rules of the House of Representatives of the 97th General Assembly, spread on the Journal Monday, and, that, upon the adoption of this report, the Temporary Rules, as amended, be made the Permanent Rules of the House of Representatives of the 97th General Assembly.

Rep. Chiles moved to amend as follows:

Amendment No. 1

January 29, 1991

Mr. Speaker: I move that the report of the rules committee be amended so that House Rule 65 of the rules of the House of Representatives for the 97th General Assembly is amended by adding at the end of the paragraph dealing with the committee on calendar and rules a new sentence as follows:

The committee on Calendar and Rules shall only act as a scheduling committee and shall not engage in the determination of the merits of a bill or resolution and shall schedule every bill or resolution for House action during that session.

Note: strike-thru (/) removes existing language
underline (_) is new language

Respectfully,
/s/John Chiles

Rep. Purcell moved that Amendment No. 1 be tabled, which motion prevailed.

Rep. Duer moved to amend as follows:

Amendment No. 2

January 29, 1991

Mr. Speaker: I move that the report of the rules committee be amended so that the House Rule 8 of the rules of the House of Representatives for the 97th General Assembly shall read:

Rule 8. SPEAKER PRO TEMPORE. A Speaker pro tempore of the House of Representatives shall be elected by the membership of the House during the organizational session of the General Assembly who shall be a member of the minority political party in the House. The Speaker pro tempore shall serve until a successor is chosen or until the

WEDNESDAY, JANUARY 30, 1991 -- THIRD LEGISLATIVE DAY

expiration of such speaker's term, whichever shall first occur. The Speaker pro tempore shall act during the absence of the Speaker, except that the Speaker pro tempore shall have the right to name any member to perform the duties of the chair for a period of time not to exceed one (1) legislative day. In the absence of the Speaker and the Speaker pro tempore, it shall be the duty of the Clerk to call the House to order and call the roll for the election of a temporary Speaker. In the event of an interim vacancy of the office of the Speaker, through the death or resignation, or in the event of disability of the Speaker, the Speaker pro tempore shall conduct the necessary business of the House only until such time as an election can be held in the House to fill the vacancy.

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underline () is new language

Respectfully,
/s/Shirley Duer

Rep. Purcell moved that Amendment No. 2 be tabled, which motion prevailed.

Rep. Chiles moved to amend as follows:

Amendment No. 3

January 29, 1991

Mr. Speaker: I move that the report of the rules committee be amended so that House Rule 65 of the rules of the House of Representatives for the 97th General Assembly is amended by adding at the end of the paragraph dealing with the committee on calendar and rules a new sentence as follows:

The committee on Calendar and Rules shall only act as a scheduling committee and shall not engage in the determination of the merits of a bill or resolution and shall schedule every bill or resolution for House action during that session.

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Respectfully,
/s/John Chiles

Rep. Purcell moved that Amendment No. 3 be tabled, which motion prevailed by the following vote:

WEDNESDAY, JANUARY 30, 1991 -- THIRD LEGISLATIVE DAY

Ayes. 53
Noes. 43

Representatives voting aye were: Armstrong, Arriola, Bivens, Bragg, Buck, Byrd, Chumney, Clark, Collier, Crain, Cross, Curlee, Davidson, Davis (Gibson), DeBerry, Ferguson, Fowlkes, Givens, Hargrove, Head, Herron, Hillis, Holt, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Kernell, King, Kisber, Knight, Love, Moore, Napier, Odom, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Tindell, Turner (Hamilton), Turner (Shelby), West, Windle, Winningham, Wix, Mr. Speaker Naifeh -- 53.

Representatives voting no were: Allen, Anderson, Bittle, Callicott, Chiles, Coffey, Cole, Copeland, Davis (Cocke), Davis (Knox), Duer, Gunnels, Haley, Halteman, Harrill, Hassell, Haun, Hill, Holcomb, Hubbard, Huskey, Joyce, Kent, Liles, McAfee, McDaniel, McKee, Meyer, Niceley, Nuber, Peroulas Draper, Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tullos, Venable, Walley, Whitson, Williams (Shelby), Williams (Union), Wood -- 43.

Rep. McDaniel moved to amend as follows:

Amendment No. 4

January 29, 1991

Mr. Speaker: I move that the report of the rules committee be amended so that House Rule 6 of the rules of the House of Representatives for the 97th General Assembly shall read:

Rule 6. SPEAKER TO APPOINT COMMITTEES. The Speaker shall appoint all committees proportional to the political party representation in the House, unless otherwise directed by the House, in which case they shall be elected by a vote of the House; and if, upon the first ballot, there be no election, a second ballot shall be taken, in which a plurality of votes shall elect. The Speaker shall, in appointing committees, give consideration to the abilities, preferences and seniority of the members ~~and the political party representation~~ in the House. No member shall be appointed to serve on more than two (2) standing committees, exclusive of the Committee on Calendar and Rules, the Joint Legislative Services Committee, and the Fiscal Review Committee.

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Respectfully,
/s/Steve McDaniel

Rep. Purcell moved that Amendment No. 4 be tabled, which motion prevailed by the following vote:

WEDNESDAY, JANUARY 30, 1991 -- THIRD LEGISLATIVE DAY

Ayes.	53
Noes.	43

Representatives voting aye were: Arriola, Bivens, Bragg, Buck, Byrd, Chumney, Clark, Collier, Crain, Cross, Curlee, Davidson, Davis (Gibson), DeBerry, Dixon, Ferguson, Fowlkes, Givens, Hargrove, Head, Herron, Hillis, Holt, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Kernell, King, Kisber, Knight, Love, Moore, Napier, Odom, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Tindell, Turner (Hamilton), Turner (Shelby), West, Windle, Winningham, Wix, Mr. Speaker Naifeh -- 53.

Representatives voting no were: Allen, Anderson, Bittle, Callicott, Chiles, Coffey, Cole, Copeland, Davis (Cocke), Davis (Knox), Duer, Gunnels, Haley, Halteman, Harrill, Hassell, Haun, Hill, Holcomb, Hubbard, Huskey, Joyce, Kent, Liles, McAfee, McDaniel, McKee, Meyer, Niceley, Nuber, Peroulas Draper, Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tullios, Venable, Walley, Whitson, Williams (Shelby), Williams (Union), Wood -- 43.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from not voting to aye on the motion to table Amendment No. 4 and have this statement entered in the Journal.

Rep. Dixon

REMARKS

Rep. McDaniel requested that the following remarks be spread on the Journal:

Mr. Speaker, Ladies and Gentlemen of the House:

This member does not rise today to make a string of vociferous remarks, but rather to focus your attention on what he believes to be the height of reprehensible fairness in the peoples' representative government and ask you to reflect for a moment on the nature of representative government and its history in Tennessee.

Two hundred years ago the citizens of this country had no representative government. The western district of North Carolina had become the Southwest Territory of the United States. The land of the Wataugans, who in 1772 created what the Royal Governor of Virginia declared to be "a dangerous example to the people of America by forming governments distinct from and independent of His Majesty's authority." But the land of the Wataugans had become a colony with no elected representatives. Our "legislature" was composed of the territorial governor and three judges, all appointees of the federal government.

WEDNESDAY, JANUARY 30, 1991 -- THIRD LEGISLATIVE DAY

The independent spirits who composed the citizenry of this land could not long tolerate non-representative government. In 1793 Governor Blount was forced by the weight of popular opinion, supported by a disregard for the territorial governor's authority almost amounting to rebellion, to call elections, and, just a few weeks shy of 197 years ago, the first House of Representatives of the country soon to be known as Tennessee opened for business.

Ladies and gentlemen of the House, for over two hundred years our people have demanded representative government. They rebelled against Great Britain for it in the Revolution; they rebelled against North Carolina for it in the Franklin statehood movement; and they nearly rebelled against the territorial government for it. When our constitution was written in 1796, the second section of the Declaration of Rights exhorted the people never to adopt an attitude of "non-resistance against arbitrary power and oppression," and Tennesseans never have.

In this spirit I must rise to make a complaint to this House on behalf of the people of Decatur, Perry, and Wayne Counties, and that portion of my home county of Henderson that lies within the boundaries of the 63rd House District, for they have been denied their full measure of representation. The 45,000 citizens of the 63rd District, along with over 2 million citizens of Tennessee similarly situated, have been for the past nine General Assemblies locked out of full and fair representation in this House. They suffer from a self-imposed handicap in the eyes of the majority party in this House. They have dared to elect members of the minority party to represent them, and for that, it seems, they must be punished by being denied a fair voice in the proceedings of the House of Representatives.

To be sure, the representative of the people of Decatur, Henderson, Perry, and Wayne Counties has an equal voice on the floor of the House. He may introduce legislation, he may vote on that and other legislation, he may debate, and he may stand in the well of the House and bemoan the fate of his constituents. But ladies and gentlemen of the House, the representatives of over 2 million Tennesseans are not allowed to fully, fairly, proportionally represent their people in the business of the Tennessee House of Representatives.

Every member of this House knows that the real business of Legislation is conducted not in this chamber, but in the committee rooms. It is there that most bills meet their fates. It is in the committees that a number of bills presented in this House die, and where those that do finally reach the floor for consideration are molded into their final shape. And it is in the House Calendar and Rules Committee where the final determination is made whether a bill which has managed to pass through other committees and even the other House of this assembly will ever finally see the light of a final vote. Yet from these processes the representatives of over 2 million Tennesseans are denied a proportional role.

WEDNESDAY, JANUARY 30, 1991 -- THIRD LEGISLATIVE DAY

Members of the Republican Party in the House of Representatives represented over 41 percent of the people of Tennessee in the last General Assembly, yet they accounted for only 7 percent of the members of the House Calendar and Rules Committee. They represented over 1,900,000 citizens, yet not one of their number could be counted among the officers of any committee of this House. This state of affairs has existed only for the last nine General Assemblies, and only in this House. Such arbitrary action, punishing the people who dare to elect a representative from other than the majority party by partially disenfranchising them in the business of this House, is not a tradition that Tennesseans can be proud of and cannot be allowed to become a tradition of this House.

On behalf of the people of Decatur, Henderson, Perry, and Wayne Counties, and of all Tennesseans similarly situated, I call upon the members of the majority party to remember that this is the House of Representatives. We are not, or rather should not be, merely a political debating society. We each stand in the place of and as delegate for 45,000 Tennesseans. It is the duty of each of us to represent our constituents to the best of our abilities, but that duty does not include taking retribution on the citizens of districts who dare to elect members of the "wrong" party to represent them in this House.

MOTION

Rep. Williams (Shelby) moved to amend as follows:

Amendment No. 5

January 29, 1991

Mr. Speaker: I move that the report of the rules committee be amended so that the House Rule 7 of the rules of the House of Representatives for the 97th General Assembly shall read:

Rule 7. SPEAKER TO APPOINT COMMITTEE OFFICERS. The Speaker shall appoint one (1) chair, one (1) vice-chair, and (1) secretary for each of the standing legislative committees and for the Committee on Calendar and Rules which appointments shall be proportion to the political party representation in the House. Any officer of the committee, with the approval of the Speaker, may choose to be a member of only one (1) committee. In appointing committee officers, the Speaker shall consider the abilities, preferences and seniority of members ~~and the political party representation~~ in the House.

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Respectfully,
/s/Karen R. Williams

WEDNESDAY, JANUARY 30, 1991 -- THIRD LEGISLATIVE DAY

Rep. Purcell moved that Amendment No. 5 be tabled, which motion prevailed by the following vote:

Ayes.	54
Noes.	42

Representatives voting aye were: Arriola, Bivens, Bragg, Buck, Byrd, Chumney, Clark, Collier, Crain, Cross, Curlee, Davidson, Davis (Gibson), DeBerry, Dixon, Ferguson, Fowlkes, Givens, Hargrove, Head, Herron, Hillis, Holt, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Kernell, King, Kisber, Knight, Love, Moore, Napier, Odom, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Shirley, Tindell, Turner (Hamilton), Turner (Shelby), West, Windle, Winningham, Wix, Mr. Speaker Naifeh -- 54.

Representatives voting no were: Allen, Anderson, Bittle, Callicott, Chiles, Coffey, Cole, Copeland, Davis (Cocke), Davis (Knox), Duer, Gunnels, Haley, Halteman, Harrill, Hassell, Haun, Hill, Holcomb, Hubbard, Huskey, Joyce, Kent, Liles, McAfee, McDaniel, McKee, Meyer, Niceley, Nuber, Peroulas Draper, Robinson (Washington), Severance, Sipes, Stamps, Tullos, Venable, Walley, Whitson, Williams (Shelby), Williams (Union), Wood -- 42.

Rep. Coffey moved to amend as follows:

Amendment No. 6

January 29, 1991

Mr. Speaker: I move that the report of the rules committee be amended so that House Rule 81 of the rules of the House of Representatives for the 97th General Assembly is amended by adding at the end of the paragraph dealing with the committee on calendar and rules a new sentence as follows:

Rule 81(8). UNIFORM RULES OF COMMITTEE. Committee meetings shall be open to the public at all times unless the business of the committee concerns itself with matters of national or state security or the investigation of a proposed impeachment, which, in each separate instance, shall be determined by a three-fourths (3/4) majority of the committee members present and voting. In keeping with the spirit of the constitutional mandate of Article II, Section 22, and the statutes applicable to other public bodies, the speaker and the committee chairs shall insure that this rule is met with full compliance and is not subverted.

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Respectfully,
/s/D. L. Coffey

WEDNESDAY, JANUARY 30, 1991 -- THIRD LEGISLATIVE DAY

Rep. Purcell moved that Amendment No. 6 be tabled, which motion prevailed by the following vote:

Ayes.	51
Noes.	43

Representatives voting aye were: Arriola, Bivens, Bragg, Buck, Byrd, Chumney, Clark, Collier, Crain, Cross, Curlee, Davidson, Davis (Gibson), DeBerry, Dixon, Ferguson, Fowlkes, Givens, Hargrove, Head, Herron, Hillis, Holt, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Kernell, King, Kisber, Love, Moore, Napier, Odom, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Tindell, Turner (Hamilton), Turner (Shelby), West, Windle, Winningham, Wix, Mr. Speaker Naifeh -- 51.

Representatives voting no were: Allen, Anderson, Bittle, Callicott, Chiles, Coffey, Cole, Copeland, Davis (Cocke), Davis (Knox), Duer, Gunnels, Haley, Halteman, Harrill, Hassell, Haun, Hill, Holcomb, Hubbard, Huskey, Joyce, Kent, Liles, McAfee, McDaniel, McKee, Meyer, Niceley, Nuber, Peroulas Draper, Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tullos, Venable, Walley, Whitson, Williams (Shelby), Williams (Union), Wood -- 43.

Thereupon, Rep. Purcell renewed his motion that the Temporary Rules, as amended, be adopted as the Permanent Rules of the House, which motion prevailed by the following vote:

Ayes.	53
Noes.	43

Representatives voting aye were: Arriola, Bivens, Bragg, Buck, Byrd, Chumney, Clark, Collier, Crain, Cross, Curlee, Davidson, Davis (Gibson), DeBerry, Dixon, Ferguson, Fowlkes, Givens, Hargrove, Head, Herron, Hillis, Holt, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Kernell, King, Kisber, Knight, Love, Moore, Napier, Odom, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Tindell, Turner (Hamilton), Turner (Shelby), West, Windle, Winningham, Wix, Mr. Speaker Naifeh -- 53.

Representatives voting no were: Allen, Anderson, Bittle, Callicott, Chiles, Coffey, Cole, Copeland, Davis (Cocke), Davis (Knox), Duer, Gunnels, Haley, Halteman, Harrill, Hassell, Haun, Hill, Holcomb, Hubbard, Huskey, Joyce, Kent, Liles, McAfee, McDaniel, McKee, Meyer, Niceley, Nuber, Peroulas Draper, Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tullos, Venable, Walley, Whitson, Williams (Shelby), Williams (Union), Wood -- 43.

The Speaker declared that the Permanent Rules of the House of Representatives of the 97th General Assembly had been adopted and made the action of the House. A motion to reconsider was tabled.

The Rules, as adopted, follow.

RULES OF ORDER of the HOUSE OF REPRESENTATIVES

Ninety-seventh General Assembly

1. **SPEAKER TO CONVENE HOUSE.** At the hour to which the House shall have been adjourned, the Speaker shall proceed to the dais and announce that the House is in session in accordance with the adjournment motion previously made. The Speaker shall then call the House to order and, after appropriate opening ceremonies, call for the regular order of business, beginning with a roll call to determine that a quorum is present.

2. **SPEAKER TO PRESERVE ORDER.** The Speaker shall preserve order and decorum and may speak to points of order in preference to other members. The Speaker will have the authority to set the guidelines for decorum.

3. **OTHER DUTIES OF SPEAKER.** The Speaker shall supervise the preparation of the daily Journal and shall have general direction of the Representative Chamber in accordance with the authority granted under the Rules of the House.

4. **ORDER IN GALLERY OR LOBBY.** In case of any disturbance or disorderly conduct in the gallery or lobby, the Speaker or the Chair of the Committee of the Whole shall have power to order the same to be cleared.

5. **FORMS OF QUESTIONS.** Questions shall be put directly in this form: "Representatives in favor of (then state the proposition) say 'Aye' and, after the affirmative will be expressed, "Representatives who are opposed, say 'No'." If the Speaker doubt, or a roll call be requested, as provided in Rule 29, a roll call vote shall be taken.

6. **SPEAKER TO APPOINT COMMITTEES.** The Speaker shall appoint all committees, unless otherwise directed by the House, in which case they shall be elected by a vote of the House; and if, upon the first ballot, there be no election, a second ballot shall be taken, in which a plurality of votes shall elect. The Speaker shall, in appointing committees, give consideration to the abilities, preferences and seniority of the members and the political party representation in the House. No member shall be appointed to serve on more than two (2) standing committees, exclusive of the Committee on Calendar and Rules, the Joint Legislative Services Committee, and the Fiscal Review Committee.

7. **SPEAKER TO APPOINT COMMITTEE OFFICERS.** The Speaker shall appoint one (1) chair, one (1) vice-chair, and one (1) secretary for each of the standing legislative committees and for the Committee on Calendar and Rules. Any officer of any committee, with the approval of the Speaker, may choose to be a member of only one (1) committee. In appointing committee officers, the Speaker shall consider the abilities, preferences and seniority of members and the political party representation in the House.

WEDNESDAY, JANUARY 30, 1991 -- THIRD LEGISLATIVE DAY

8. SPEAKER PRO TEMPORE. A Speaker pro tempore of the House of Representatives shall be elected by the membership of the House during the organizational session of the General Assembly. The Speaker pro tempore shall serve until a successor is chosen or until the expiration of such speaker's term, whichever shall first occur. The Speaker pro tempore shall act during the absence of the Speaker, except that the Speaker shall have the right to name any member to perform the duties of the Chair for a period not to exceed one (1) legislative day. In the absence of the Speaker and the Speaker pro tempore, it shall be the duty of the Clerk to call the House to order and call the roll for the election of a temporary Speaker. In the event of an interim vacancy of the office of Speaker, through death or resignation, or in the event of disability of the Speaker, the Speaker pro tempore shall conduct the necessary business of the House only until such time as an election can be held in the House to fill the vacancy.

9. CHIEF CLERK. There shall be a Chief Clerk of the House of Representatives who shall be appointed by the Speaker and who shall serve until a successor is chosen. The Chief Clerk shall keep open the Office of the Clerk during and between sessions of the General Assembly on a permanent basis and shall transact efficiently such business as is assigned or required by law or rules of the House, both during and between sessions. The Chief Clerk shall take an oath to support the Constitution of the United States and of the State of Tennessee and to truly and faithfully discharge the duties of the office to the best of such clerk's knowledge and ability.

10. CHIEF SERGEANT-AT-ARMS. The Chief Sergeant-at-Arms shall be under the direct supervision of the Speaker.

11. VOTES REQUIRED FOR CHOICE. In all votes other than those specifically provided for herein, a majority of those present and voting shall be necessary to a choice.

12. ORDER OF BUSINESS. The reading of the daily Journal for the preceding day shall not be required; provided, however, that upon appropriate motions, the House may direct that the same be read. Any corrections in the Journal shall be suggested by individual members under the order of Unfinished Business.

After appropriate opening ceremonies, the Speaker shall call for the following:

- (1) Roll Call
- (2) Personal Orders
- (3) Calendars
- (4) Unfinished Business
- (5) Announcements
- (6) Introduction of Resolutions
- (7) Senate Joint Resolutions
(Congratulatory, Memorializing)
- (8) Resolutions Lying Over
- (9) Introduction of Bills
- (10) Senate Bills on First Consideration

WEDNESDAY, JANUARY 30, 1991 -- THIRD LEGISLATIVE DAY

- (11) Senate Bills on Second Consideration
- (12) House Bills on Second Consideration
- (13) Petitions and Memorials
- (14) Reports from Standing Committees
- (15) Reports from Select Committees
- (16) Roll Call

13. SPECIAL ORDER. It shall require an affirmative vote by two-thirds (2/3) of the members to which the House is entitled under the Constitution to set a special order of business; however, when a motion has been made to set for a special order any bill, resolution, or motion, the motion having failed for lack of a two-thirds majority but having received a majority vote of the members of the House present, it shall be in order, upon the demand of five (5) members of the House, for the Committee on Calendar and Rules to meet and report for the adoption or rejection by a majority vote of the House a rule or order fixing a time for the consideration of said bill or measure. It shall require a majority vote of the members of the House to postpone any special order set.

14. NUMBER OF SPECIAL ORDERS PERMISSIBLE WITHOUT RE-REFERRAL. After a bill has been scheduled for third consideration, the sponsor of any bill or resolution may before the House request another date for third consideration, and the bill or resolution shall be so scheduled, however, the sponsor of any bill or resolution shall only have the right to make such a request three (3) times on any particular bill or resolution. If the House does not consider the bill or resolution on or before the fourth such scheduled time, the bill or resolution shall be automatically re-referred to the Committee on Calendar and Rules.

15. PETITIONS AND MEMORIALS - BRIEF STATEMENT. Before any petition or memorial addressed to the House shall be received and read at the table, a brief statement of the contents of the petition or memorial shall be filed with the Chief Clerk.

16. SYSTEM ENTRY CODE. Before any bill or resolution can be accepted by the Chief Clerk for the purpose of pre-filing and assigning a number, or any committee amendment or any other amendment in the first degree can be accepted for the purpose of attaching it to a bill, the document in question shall have a system entry code affixed thereto by the Office of Legal Services.

17. RESOLUTIONS. All resolutions must be pre-filed with the Office of the Chief Clerk by 4:00 p.m. the day preceding date of introduction. Resolutions which have not been assigned a system entry code by the Office of Legal Services shall not be accepted for pre-filing by the Office of the Chief Clerk.

Congratulatory and memorializing resolutions shall automatically be referred to the Committee on Calendar and Rules to be placed by the officers on the Consent Calendar pursuant to Rule No. 50.

Joint resolutions calling for joint conventions shall be referred by the Speaker to a committee consisting of the Speaker,

WEDNESDAY, JANUARY 30, 1991 -- THIRD LEGISLATIVE DAY

the Majority Leader and the Minority Leader for immediate consideration. The committee shall report its recommendations concerning the proposed joint convention to the House.

All other House resolutions shall be referred to the appropriate committee for consideration.

18. DUTIES OF MEMBERS TOWARD SPEAKER. No member shall be recognized by the Speaker unless the member addresses the chair from such member's desk. In all cases the member who shall first rise shall be entitled to speak first; but when two (2) or more members shall rise at the same time, the Speaker shall name the member who shall speak first.

When any member is about to speak in debate or deliver any matter whatever to the House, such member shall rise, and respectfully address the chair and await the notice of the Speaker. After recognition by the Speaker, the member shall proceed with making remarks which strictly conform to the question under debate and avoid all personalities.

19. TRANSGRESSION OF RULES BY MEMBER. Any member who, in speaking or otherwise, transgresses the Rules of the House, the Speaker shall, or any other member may, call such transgressing member to order, in which case the member so called to order shall immediately sit down, unless permitted to explain; and the House shall, if appealed to, decide the case without debate. If there be no appeal, the decision of the Chair shall prevail. If the decision be in favor of the member called to order, such member shall be permitted to proceed, without leave of the House. If otherwise, such member shall not be permitted to proceed. In case any member objects and continues, without leave of the House, and if the case require it, such member shall be liable to the censure of the House.

20. ATTENDANCE OF MEMBERS REQUIRED. No member shall be absent from service in the House without leave first obtained; and in case a less number than the quorum of the House shall convene, the Speaker is hereby authorized to send the Sergeant-at-Arms, or any other person or persons, for any or all absent members. This shall be done at the expense of such absentees, respectively, unless such excuse for nonattendance shall be rendered as the House, when a quorum is convened, shall deem sufficient.

21. TIME LIMITS OF DEBATE. Each member shall be limited to fifteen (15) minutes in such member's opening remarks and shall be limited to ten (10) minutes in rejoinder in discussion upon the floor of the House, EXCEPT by a majority of the members present, the House may increase or decrease the limitations of time herein set out for debate on a particular bill, resolution or motion.

22. PERSONS ADMITTED ON FLOOR OF HOUSE. The Sergeant-at-Arms shall admit no person into the House Chamber thirty (30) minutes prior to and during any session except members of the General Assembly, employees of the House as designated by the Speaker of the House, employees of the Senate as designated by the Speaker of the

WEDNESDAY, JANUARY 30, 1991 -- THIRD LEGISLATIVE DAY

Senate, employees of the Office of Legislative Services, employees of the Office of Legal Services employees of the Office of Management Information Systems, Fiscal Review Committee staff, as designated by the Speaker of the House, members of the Capitol Hill Press Corps as designated by the chair of the Corps and approved by the Speaker of the House, and the Chaplain and the Physician of the Day. All visitors and spectators shall have access to the gallery so long as they preserve order.

23. EVERY MOTION MUST BE SECONDED. Every motion must be seconded by some member of the House other than the proponent of the motion and upon failure of a second, the Speaker shall declare the motion failed for lack of a second.

24. MOTION REDUCED TO WRITING. The Speaker may require any motion to be reduced to writing and placed on the desk of the Clerk.

25. WHAT MOTION DEBATABLE. All motions shall be subject to debate except the following motions:

- (1) To adjourn
- (2) Lay on the table
- (3) For the previous question

Provided, however, the proponent of any motion sought to be tabled shall have the right to be heard after the motion to table is made and before said motion to table is put to vote.

26. PRECEDENCE OF MOTIONS. When any question or motion is under debate in the House, the following motions only shall be in order and may be entertained by the Speaker:

- (1) To adjourn
- (2) To lay on the table
- (3) For the previous question
- (4) To postpone to a day certain
- (5) To commit or recommit
- (6) To amend
- (7) To reject

Each of said motions shall take precedence in the order set out herein.

27. NO MOTION TO ADJOURN UNTIL FURTHER BUSINESS. When a motion to adjourn shall have been made and failed, the Speaker shall not entertain another motion to adjourn until some business has been transacted since the last motion to adjourn was voted upon.

28. WHEN MOTION NOT TO BE ENTERTAINED BY SPEAKER. After the Speaker has submitted a question or after there has been a roll call or count of the House, the Speaker shall not entertain or recognize a member on a point of personal privilege or otherwise until a decision of the House has been declared by the Chair. At any other time, a member may rise to a point of personal privilege but such member shall confine such remarks to questions affecting the rights,

WEDNESDAY, JANUARY 30, 1991 -- THIRD LEGISLATIVE DAY

reputation and conduct of the member in such member's official capacity, and shall not address remarks to any question germane to substantive matters being considered.

29. DEMAND OF ROLL CALL. Any question or motion (except final passage of a bill) may be put to the House by a voice vote at the discretion of the Speaker; provided, however, that, as required by the Constitution of Tennessee, any five (5) members of the House may require a roll call of the membership of the House and said members desiring a roll call shall indicate their desire by raising their hands. All votes taken upon final passage on third consideration of a general bill and all votes taken on demand by any five (5) members as provided for shall be taken by the electronic roll call system, provided that the Speaker may require the calling of the names of the members in alphabetical order and each member shall then answer "Aye" or "No" when such member's name is called by the Clerk without debate. Whenever the electronic roll call system is used, the Clerk shall preserve the record of the votes of the members by making the printed roll call as authenticated by the roll call system a part of the rough journal. All members casting votes by the electronic roll call machine shall be at their proper desks at the time for voting with the exception of the Speaker and sponsor moving passage of the bill under consideration. In the event the electronic roll call system is inoperative, all questions shall be put to the House by voice vote or by calling the roll as circumstances may require.

30. EXPLANATION OF VOTE. Any member may have written into the Journal an explanation of such member's vote on any particular motion, resolution, or bill by presenting to the Clerk an appropriate explanation in typewritten form.

31. CHANGE OF VOTE. Any member's vote on a roll call vote may be changed if such member requests such change before the result of the roll call is announced by the Speaker. After the result of the roll call is announced by the Speaker, no member may change such vote and the Journal entry shall not be altered. However, any member not voting at the time the roll call was taken, or any member voting on the original question but wishing to express a desire to change such member's original stand, may, have entered on the Journal a typewritten statement of support of or opposition to the question upon which the vote was taken.

32. APPEALS TO HOUSE ON RULINGS OF SPEAKER. Any five (5) members of the House may appeal to the House from the ruling of the Speaker and a majority vote of the members present shall decide the appeal.

No member shall speak more than twice on the appeal except with the permission of the majority of the members present.

33. WHO MAY ADDRESS SPEAKER. No one may address the Speaker except a member of the House.

34. DIVISION OF QUESTION IN DEBATE. If the question in debate contains several points, any member may have the same divided; but

no bill shall be divided on third and final consideration.

35. READING OF PAPERS. When the reading of a paper is called for and the same is objected to by any member, it shall be decided by a vote of the House without debate.

36. PREVIOUS QUESTION. The previous question shall only be admitted when demanded by two-thirds (2/3) of the members present; and if the call is made and sustained, its effects shall be to preclude all future amendments and terminate all debate; but it may be applied to the main question, or to the main question and amendment to the amendment, and shall bring the House to a direct vote on the question in the order in which they stand and from the point where the call was applied; but in all debates upon resolutions or bills immediately prior to their final passage on third reading, the mover or author of the resolution or bill shall have the right to close the debate thereon, and no call for the previous question shall cut off this right in the mover, or author, of the measure; provided, however, when the demand for the previous question has been made and rejected under the foregoing provision, but having received a majority vote of the members of the House, it shall be in order, upon the demand of any five (5) members of the House, for the Committee on Calendar and Rules to meet and fix or limit the time in which debate on said question shall be closed, which decision shall be binding upon all membership of the House.

37. TABLED MOTION - HOW REMOVED, ETC. When any bill, resolution, or motion is laid on the table by a vote of the House, it shall require a two-thirds (2/3) vote of those members present to take it from the table; but it shall require only a majority of the votes (a quorum being present) to lift from the table a vote rejecting a bill, resolution, or a motion.

38. BILLS DISPLACED BY SUBSTITUTION TABLED. When a bill has been substituted for another bill, the bill displaced by the substitution shall be considered as tabled.

39. WHEN BILL OR RESOLUTION FAILS TO RECEIVE CONSTITUTIONAL MAJORITY. When any bill or resolution is voted upon, but fails to receive a constitutional majority, the same shall be automatically re-referred to the Committee on Calendar and Rules. Any bill so re-referred during the final seven (7) days of the session shall not be again placed on the calendar for consideration during that session unless called for by a favorable vote of two-thirds (2/3) of the members to which the House is entitled under the Constitution, in which case it shall be placed in the next available position on the calendar for a succeeding day. However, no bill or resolution may be voted on more than twice during this General Assembly.

40. MOTION TO RECONSIDER. When a vote on final passage of a bill has been made and carried in the affirmative or negative, it shall be in order for any member voting with the prevailing side to move for a reconsideration thereof, at any time the same day or the next succeeding day of actual session. If the member moving the reconsideration shall request that motion be entered upon the

WEDNESDAY, JANUARY 30, 1991 -- THIRD LEGISLATIVE DAY

Journal, it shall be done, and such member shall have exclusive control of the motion during that day, and the next succeeding day of actual session; providing the motion has been duly seconded; and the motion shall be a privileged motion, taking precedence, when called up, over all other business. Thereafter, it may be called up and disposed of by any member of the House; however, no motion to reconsider a reconsideration shall be in order; provided, however, no motion to reconsider shall be placed upon the Journal during the last seven (7) legislative days of any annual session.

41. NO CROWDING ABOUT CLERK'S DESK. Members shall not crowd or stand about the Clerk's desk.

42. WHO ALLOWED IN ROOMS OF CLERKS. No persons other than members and employees of the General Assembly shall be allowed in the offices of the Chief Clerk and Chief Engrossing Clerk during the period the House is in floor session.

43. INFORMATION REQUIRED ON COVERS OF BILLS AND RESOLUTIONS. Every bill or resolution introduced shall be typewritten on not less than a full page of legal paper, in original and four (4) copies and the copies shall have the following statement on the cover: "I certify that the within bill (resolution) is a true copy of the original which was introduced this date.

Date

Signature."

Each bill or resolution and all copies shall be enclosed in manuscript covers and shall bear the signature(s) of the sponsor(s) on said covers and said covers shall also contain a succinct statement of the purpose or nature of said bill or resolution.

No member shall be permitted to be added as a sponsor to a bill or resolution without the written permission of the prime sponsor; provided, however, if a piece of legislation purports to name a public facility (bridge, building, etc.), the member who represents the district in which said facility lies shall be allowed to be added as a prime sponsor.

The Chief Clerk shall delete the name of any member who is not the only prime sponsor from any bill or resolution upon receipt of such request in writing.

When a member introduces a bill or resolution, the Clerk shall immediately give the same a House number. Copies shall be delivered as follows: one (1) copy to a representative of Legal Services; one (1) copy to a representative of Legislative Services; one (1) copy to a representative of the Fiscal Review Committee, and one (1) copy to the press file.

44. FILING OF BILLS FOR INTRODUCTION.

(a) Bills which have not been assigned a system entry code by the Office of Legal Services shall not be accepted for filing or pre-filing by the Office of the Chief Clerk.

WEDNESDAY, JANUARY 30, 1991 -- THIRD LEGISLATIVE DAY

(b) All bills for introduction shall be filed with the Chief Clerk no later than 4:00 p.m. on the day preceding the date of introduction.

(c) In the interim between sessions, any member of the House may pre-file a bill or resolution for introduction in the next session and the procedure shall be as follows:

(1) The bill or resolution shall be filed with the Chief Clerk of the House by the member in the number and form prescribed by the Rules of the House.

(2) The Chief Clerk shall number the bill or resolution and note thereon the date of the first day of the next session, on which the bill or resolution will be introduced and, in the case of bills, will pass first consideration.

(3) After written request of the sponsor of a pre-filed bill or resolution, the Speaker of the House may refer the bill or resolution to the appropriate committee to be studied and considered by the committee, or a subcommittee thereof, during the interim between sessions.

45. BILLS TO BE NUMBERED. Each bill introduced shall be numbered in numerical order by the Clerk and said bill shall bear said number and be designated by said number in all future considerations of the same in the House. No bill shall be assigned a number by the Clerk or be referred by the Speaker to a committee for consideration unless it contains a title or caption; an enacting clause stating, "Be it enacted by the General Assembly of the State of Tennessee:" and language following the enacting clause purporting to state new law or to amend or repeal existing law. Further, no bill that has not been assigned a system entry code by the Office of Legal Services shall be accepted or numbered by the Office of the Chief Clerk.

46. ONE CONSIDERATION PER DAY'S SESSION. Only one (1) consideration of a bill may be had in the House in any day's session.

47. SECOND CONSIDERATION - REFERRED TO COMMITTEE. After the passage of a bill on second consideration, all general bills shall be referred by the Speaker to the appropriate committee.

48. LOCAL BILLS TO COMMITTEE - WHEN. Local bills may be referred by the Speaker to appropriate committees if, in the discretion of the Speaker, the nature and effect of said local bills shall require it. Local bills, after having received the authorization of the local legislative delegation, shall automatically be transmitted to the Committee on Calendar and Rules to be placed by the officers on the Consent Calendar pursuant to Rule No. 50.

49. DUTIES OF COMMITTEE ON CALENDAR AND RULES CONCERNING CALENDAR. All bills having been considered and reported out of the standing committee to which referred shall be automatically

WEDNESDAY, JANUARY 30, 1991 -- THIRD LEGISLATIVE DAY

transmitted to the Committee on Calendar and Rules without further reference by the Speaker; and no bill of general nature shall be considered for third and final passage until a written calendar, from the Committee on Calendar and Rules, giving notice of such bill, has been posted in a regular place in the House Chamber at least forty-eight (48) hours prior to such consideration. Not more than twenty-five (25) general bills shall be placed on the calendar for final consideration on any one (1) day, and this number shall include any bills carried over from previous calendars or any bills set for special order. Should the House not complete any day's calendar, all bills remaining unconsidered shall go to the top of the calendar on the next day that general bills are considered, provided that only so many of the said bills shall be carried over as will not cause the total to be considered on that day to exceed the aforesaid limit. Any bills remaining to be carried over in excess of that number shall be placed at the head of the calendar on a succeeding day or days, within the daily maximum of twenty-five (25). The foregoing maximum limitation on bills for daily consideration may be suspended by the Committee on Calendar and Rules by a two-thirds (2/3) vote of the total membership of said committee.

50. CONSENT CALENDAR. Any bills or resolutions which are not controversial in nature shall be placed on a Consent Calendar by the officers of the Committee on Calendar and Rules. The Consent Calendar shall be printed and posted in a regular place in the House Chamber at least seventy-two (72) hours in advance of the time for such consideration.

Any member may object to a bill or resolution on the Consent Calendar and if objection is raised, the bill or resolution shall be removed from the Consent Calendar and placed at the foot of the regular calendar for consideration on the day following removal from the Consent Calendar; provided, however, that any bill or resolution objected to and removed from the Consent Calendar on the final day of a session shall be placed at the foot of the regular calendar on that day.

Upon a motion for passage of the Consent Calendar pursuant to Rule 50, the appropriate language shall be spread in the Journal:

"all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, that all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in."

51. SPONSOR OF BILL AND CHAIR OF STANDING COMMITTEE PROPOSING AMENDMENT TO BILL MUST BE PRESENT. No bill may be considered on third and final reading unless the sponsor of said bill and the chair, or the chair's designee, of a standing committee which has recommended any amendment or amendments to the bill shall be present in the House, unless such sponsor or chair shall have previously indicated in writing to the Speaker permission for same to be

WEDNESDAY, JANUARY 30, 1991 -- THIRD LEGISLATIVE DAY

brought up in such member's absence. However, if such sponsor, the chair or the chair's designee is not present in the House within one (1) hour from the time the bill is reached on the calendar, or the calendar is completed, this requirement is waived and the House may proceed to consider the bill in the absence of such sponsor, the chair or the chair's designee.

52. SUBSTITUTE SPONSOR OF BILL. Upon the death or disability requiring the absence from the House of any sponsor of a bill, the Speaker may name one (1) of the cosigners of said bill as sponsor, and if only one (1) person shall have signed said bill as sponsor, and said sponsor becomes unable to be present in the House, the Speaker may name any person favorable to said bill as sponsor.

53. RECALL OF BILL FROM COMMITTEE. Except during the organizational session, after any bill or other matter shall have been in any committee for seven (7) days, the same may be called for by two-thirds (2/3) of the members to which the body is entitled under the Constitution and placed upon the calendar of the House. Such action shall be in order only after a signed notice giving the number of the bill to be called for has been filed with and announced by the Clerk at least one (1) day prior to offering a motion to withdraw said bill from the committee in which it is held. When a bill has been recalled from a committee to which it was assigned by the Speaker or from the Committee on Calendar and Rules, it shall be placed at the top of the calendar on the next day on which general bills are considered. Should such a bill be recalled from committee in the manner provided above on the final day of a session, it shall then be placed at the foot of the calendar on that day.

54. RECALL OF BILL OR RESOLUTION FROM SENATE OR GOVERNOR. Upon motion, the House acting by the written message of the Clerk may request the return of a bill or resolution from the Senate. If a bill has been transmitted to the Governor, upon motion, the forwarding body acting by written message of the Clerk may request the return of the bill or resolution from the Governor.

55. BILL MAY BE RECOMMITTED. After commitment and report thereof to the House, at any time before its passage, a bill may be recommitted, provided the recommitment of the bill during the last seven (7) days of a session shall prohibit further consideration of the bill during that session unless recalled under Rule 53.

56. PRECEDENCE OF SENATE BILLS. Bills coming from the Senate shall have precedence of bills in the House on the same subjects.

57. CERTIFIED BY CLERK. When a bill shall pass it shall be certified by the Clerk, noting the day of its passage at the foot thereof.

58. BILLS TO BE EXAMINED BY CHIEF ENGROSSING CLERK. All bills passed in the House shall, before they are sent to the Senate, be examined by the Chief Engrossing Clerk, whose duty it shall be to

WEDNESDAY, JANUARY 30, 1991 -- THIRD LEGISLATIVE DAY

examine all bills, amendments, resolutions or motions, before they go out of the possession of the House, and to make report that they are correctly engrossed, which report shall be entered in the Journal. The Chief Engrossing Clerk shall correct any misspelled words in such documents prior to transmission.

59. CONCURRENCE OF HOUSE IN SENATE AMENDMENTS. When a House bill is returned from the Senate with an amendment or a substitute for the House bill, the "ayes" and "noes" shall be called for on the concurrence in the amendment or the passage of the substituted bill and entered on the Journal of the House. No said amendment or substituted bill shall be considered as concurred in or passed unless a majority of the members to which the House is entitled shall have voted affirmatively therefor and the said vote shall have been entered on the Journal. Any measure coming from the Senate with an amendment or a substitute for the House bill shall lie over one (1) day except on the final two (2) legislative days of a session.

No measure coming from the Senate with an amendment or any other Senate action requiring House concurrence or non-concurrence shall be acted on by the House until the sponsor of the measure has announced that the measure has been returned from the Senate requiring further action by the House, stating what action the Senate has taken, and briefly explaining what effect the Senate action will have on the measure. This announcement shall be made on the legislative day prior to consideration of the measure by the House under the order of unfinished business except during the final four (4) legislative days of the session. The Chief Clerk will see that an impact summary of the Senate action on the measure as prepared by Legislative Services is placed on a special Senate Message Calendar to be printed and placed on the members' desks on the legislative day immediately following the announcement. The impact summaries will appear in numerical order regardless of the nature of the measure.

60. AMENDMENTS TO BILLS. No amendment beyond the second degree shall be entertained, that is, an amendment to an amendment; and in all such cases, the vote on the respective amendments shall be had in the reverse order in which the same were made.

61. TABLING OF AMENDMENT KILLS SAME. When a motion to lay on the table an amendment, in the first or second degree, to a pending bill, resolution or other matter, prevails, it shall be a final defeat of the tabled amendment, and the further consideration of such bill, resolution, or other matter, may be at once continued.

62. NO RIDER. No amendment by way of a rider shall be received.

63. BILLS - HOW KILLED. The adoption of a motion to reject shall have the effect of killing a bill. When said motion is made on first or second consideration, then the bill or resolution and motion shall lie over one (1) day.

WEDNESDAY, JANUARY 30, 1991 -- THIRD LEGISLATIVE DAY

When a bill receives a constitutional majority in the negative on a motion to pass on third and final consideration, or when a resolution receives a constitutional majority in the negative on a motion to adopt or concur on final consideration, the Speaker, after the announcement of the vote by the Clerk, shall say "(document type and number), having received a constitutional majority in the negative on a motion to pass on third and final consideration (or adopt or concur), I hereby declare the floor now open for a motion to reject." If a member makes the motion to reject, that motion and the bill or resolution in question will lie over the remainder of that legislative day and the Speaker will direct the Chief Clerk to place the bill or resolution in question at the heel of the regular calendar set for the next legislative day.

When a bill or resolution is considered on the next legislative day, no other motion shall be in order until the motion to reject has been disposed of and the Speaker has declared the final status of the bill or resolution in question. If the motion to reject passes, the Speaker, after the announcement of the vote by the Clerk, shall say "(document type and number), having received a constitutional majority in the negative on the motion to pass on third and final consideration (or adopt or concur), and having received a constitutional majority in the affirmative on the motion to reject, I hereby declare (document type and number) rejected under the terms set forth in Article II, Section 19, of the Constitution of the State of Tennessee."

If no motion to reject is made, or if a motion to reject is made and fails to receive a constitutional majority, the Speaker shall re-refer the bill or resolution in question to the Committee on Calendar and Rules.

If the motion to reject as provided for in this rule is passed, then (a) pursuant to Article II, Section 19, Tennessee Constitution, no bill containing the same substance shall be passed into a law during this General Assembly, and (b) the motion to reconsider shall be out of order.

64. MOTION TO RECONSIDER EVERY BILL MUST BE ACTED UPON. The Clerk shall transmit to the Senate no bill, resolution, message, report, amendment, or motion nor shall the Chief Engrossing Clerk present any bill or resolution to the Governor for his action until the motion to reconsider shall have been acted upon and said action entered on the Journal.

65. STANDING COMMITTEES. There shall be the following standing committees, each of which the Speaker and the Speaker Pro Tempore shall be voting members, to wit:

- (1) Agriculture
- (2) Commerce
- (3) Conservation and Environment
- (4) Consumer and Employee Affairs
- (5) Education
- (6) Finance, Ways and Means

WEDNESDAY, JANUARY 30, 1991 -- THIRD LEGISLATIVE DAY

- (7) Government Operations
- (8) Health and Human Resources
- (9) Judiciary
- (10) State and Local Government
- (11) Transportation

Provided, however, the Speaker Pro Tempore shall only vote when the Speaker is not present and voting, except on those two (2) standing committees to which the Speaker Pro Tempore has been regularly assigned.

There shall be a committee on Calendar and Rules to be composed of the Speaker, the Speaker Pro Tempore, the Majority Leader or such leader's designee, the Majority Caucus Chair, the Minority Leader or such leader's designee, the Minority Caucus Chair, a member of the majority and minority parties appointed by and to serve at the pleasure of the Speaker, one (1) chair, one (1) vice chair, and one (1) secretary appointed by the Speaker under House Rule 7; and the chair, vice chair, and secretary of each standing committee listed above. It shall set the calendar and establish hours and places of meeting of the various standing committees. In establishing the hours and places of meeting of the various standing committees, the Committee on Calendar and Rules shall, insofar as possible, establish regular meeting times and days which shall avoid conflict among the various standing committees. No standing committee shall have more than thirty (30) appointed members. No member shall serve on more than two (2) standing committees, exclusive of the Committee on Calendar and Rules, the Joint Legislative Services Committee, and the Fiscal Review Committee, except the Speaker and the Speaker Pro Tempore who shall be voting members of all standing committees.

66. NO SPECIAL COMMITTEES - WHEN. No special committee shall be appointed for any purpose when there is a standing committee on the same subject.

67. MEETING OF COMMITTEES - WHEN. No committee of this House shall remain in session during the sessions of the House, unless by permission of a majority of members present. All committee meetings, except meetings held when the House is in recess or adjourned, shall be announced in open session by the Chair, and the time and place of meeting shall be designated at the same time and shall conform with the schedule established by the Committee on Calendar and Rules under House Rule 65. Committee meetings held on days when the House is in recess or adjourned shall be announced in open session or by written notice, furnished to each member of the House not less than seventy-two (72) hours prior to the meeting time. Committee meetings may be called by the Chair of the Standing Committee, upon approval by the Speaker of the House when the House is in recess or adjourned and shall be called by the Committee Chair when petitioned in writing, signed by a majority of the members of the Committee.

68. COMMITTEE OF WHOLE. In forming a Committee of the Whole, the Speaker shall leave the chair, and the Speaker shall appoint a Chair of the Committee of the Whole to preside.

69. PROCEEDINGS IN COMMITTEE OF THE WHOLE. Upon a bill being committed to a Committee of the Whole, the bill shall be read throughout by the Clerk, if demanded by any member, and then again read and debated by clauses, leaving the preamble to be last considered. The body of the bill shall not be defaced or interlined; but all amendments, noting the page and the line, shall be duly entered by the Clerk on a separate paper, as the same shall be agreed to by the Committee, and so reported to the House. After report, the bill shall again be debated and amended by clauses before its final passage.

70. AMENDMENTS IN COMMITTEE OF WHOLE. All amendments made to a report committed to a Committee of the Whole shall be noted and reported, as in the case of bills.

71. AMENDMENTS IN STANDING COMMITTEES AND BILLS INITIATED BY STANDING COMMITTEES. The standing committees may initiate legislation as a committee in addition to acting upon legislation referred to such standing committees. Such legislation initiated by the committee shall be introduced by the chair or the chair's designee and such other members of the committee as may wish to join therein.

When a standing committee recommends a bill for passage only with the adoption of an amendment or amendments approved by a majority vote of the standing committee, the committee chair shall cause such committee amendment or amendments to be prepared in proper typewritten form and filed with the Chief Clerk of the House. Bills reported out of standing committees with committee amendments cannot be considered by the Committee on Calendar and Rules unless the committee amendment is attached thereto. No committee amendments shall be accepted by the Chief Clerk for filing unless said amendment is labeled with a system entry code assigned by the Office of Legal Services. The Chair of said standing committee shall cause said committee amendment to be prepared and filed with the Chief Clerk within twenty-four (24) hours from the time the bill was reported out. The preceding two (2) sentences shall not apply to the General Appropriations Bill.

No later than twenty-four (24) hours prior to the time the bill recommended for amendment is scheduled for consideration on the floor of the House, the Chief Clerk shall cause the recommended amendment or amendments to be reproduced and a copy to be placed upon the desk of each member of the House. After the bill has been explained and its passage moved by the sponsor, the chair of the standing committee recommending the amendment, or chair's designee, shall then be recognized for the explanation of and debate on such amendment or amendments. It shall be the responsibility of the Chief Clerk to ensure that the foregoing procedures are observed in the consideration of amendments recommended by standing committees. It shall also be the responsibility of the Chief Clerk to denote clearly that such amendment or amendments were recommended in a standing committee and to write on the face of the amendment the committee which made the recommendation and the date on which the recommendation was made.

WEDNESDAY, JANUARY 30, 1991 -- THIRD LEGISLATIVE DAY

72. FISCAL MEASURES. Any bill or resolution having a fiscal effect of \$100,000.00 or more shall be referred to the Committee on Finance, Ways and Means after consideration by the appropriate standing committee. The Committee on Finance, Ways and Means may offer committee amendments relating to fiscal concerns only, and shall not offer amendments relating to other substantive portions of the bill. If the Committee on Finance, Ways and Means recommends the bill or resolution for passage, the bill or resolution shall be referred to the Committee on Calendar and Rules. No bill or resolution having a fiscal effect of \$100,000.00 or more shall be put upon final passage until the same has been referred to and recommended by the Committee on Finance, Ways and Means.

73. CONFERENCE COMMITTEES. A motion for the appointment of a conference committee shall be in writing and shall state the purpose or purposes for which the committee is created. Every conference committee report shall refer to the motion by which the committee was created and shall set forth the instructions contained therein followed by the recommendations of the committee which shall conform to such motion and its instructions. No report of a conference committee or any part thereof shall be adopted and incorporated into pending legislation unless the same shall have received the affirmative vote of a majority of the members to which the House is entitled under the Constitution and a motion to reconsider shall have been acted upon and entered on the Journal.

74. RULES IN COMMITTEE OF THE WHOLE. The rules of the House shall be observed in Committee of the Whole so far as applicable, but no member shall speak twice to any question until every member choosing to speak shall have spoken.

75. CHANGE AND SUSPENSION OF RULES. The rules of the House may be altered, amended, or suspended by a two-thirds (2/3) vote of the members to which the House is entitled; a motion to alter or amend, but not suspend, the rules shall in all cases lie over one (1) day. This rule (Rule 75) may not be suspended on motion to alter, amend, or suspend the rules. A motion to suspend the rules shall be for a stated purpose and subsequent suspension of the rules shall be limited to that stated purpose.

76. ADJOURNMENT. Adjournment shall be to the hour of 12:30 p.m. on the following day unless otherwise specified by the majority of those members present and voting. During the last two (2) weeks of a session, the House shall convene at 9:00 a.m., recess at 12:00 noon, reconvene at 2:00 p.m., and adjourn on or before 7:00 p.m., unless otherwise specified by a two-thirds (2/3) vote of those present and voting.

77. ENTER RULINGS. The Clerk of the House shall enter on the Journal all rulings by the Speaker on points of order. The Clerk or any member may request that the Speaker submit such ruling in writing at the close of the day on which the ruling was made.

78. ACTION ON BILLS INTRODUCED AFTER 10th DAY. Any general bill introduced after the tenth (10th) legislative day the House

WEDNESDAY, JANUARY 30, 1991 -- THIRD LEGISLATIVE DAY

convenes for the transaction of business in any regular legislative session, shall be prefiled for introduction and referred to the delayed bills committee. If approved by unanimous consent of the delayed bills committee, the bill shall be introduced.

Any bill prefiled but not receiving unanimous consent of the delayed bills committee may be called for by two-thirds (2/3) majority of the members to which the body is entitled under the Constitution, in which case it shall be introduced.

The Delayed Bills Committee shall consist of the Speaker, the Majority Leader, and the Minority Leader and shall meet at the call of the Speaker.

79. VETO. Upon receipt of a veto message and return of a bill or resolution from the Governor, or a receipt of a message from the Senate advising the House that a bill or joint resolution has been passed by the Senate, the Governor's veto to the contrary notwithstanding, the Clerk shall read the message and cause the same to be spread at large upon the Journal. Thereafter, the sponsor of the bill or resolution may, upon twenty-four (24) hours typewritten notice and within three (3) legislative days after the filing of said notice, except the last legislative day of any annual session such notice shall not be required, move the House under the item of Unfinished Business to pass the bill or resolution, notwithstanding the objections of the Executive. If the motion shall prevail by a favorable vote of a majority of the members to which the House is entitled under the Constitution, the bill or joint resolution shall then be transmitted to the Senate unless the same was originally received from the Senate subsequent to its prior approval.

Nothing in this rule shall serve to prohibit the filing of subsequent notices to move the House to pass the bill or resolution, notwithstanding the objections of the Executive, if affirmative action is not taken on the motion first noticed.

80. ROBERT'S RULES OF ORDER TO GOVERN. If any question shall arise which is not provided for in these rules, the same shall be governed by Robert's Rules of Order Newly Revised (latest edition existing on date of adoption of these rules), which is hereby adopted.

COMMITTEE RULES of the

HOUSE OF REPRESENTATIVES

81. UNIFORM RULES OF COMMITTEES.

(1) The Chair, after advising with the vice chair and secretary, shall set the calendars for hearings before the standing committee, taking into consideration the necessity and importance of the legislation before the committee. Those bills and resolutions requested by the sponsors to go on the calendars shall first be placed on the calendars, provided that the chair, after advising

WEDNESDAY, JANUARY 30, 1991 -- THIRD LEGISLATIVE DAY

with the vice chair and secretary, shall set the calendar for hearings on a reasonable number of bills or resolutions at each committee meeting. The requests by sponsors for their bills to be heard in the standing committees shall be filed with the standing committee or subcommittee as soon as practicable, but not later than 2:00 p.m. (CST) on the Wednesday preceding the next regularly scheduled meeting of the standing committee. The chair, after advising with the vice chair and secretary, shall have the authority to set on the calendars additional bills or resolutions not requested by the sponsors if, in the opinion of such officers, a reasonable number of measures has not been set for hearing. The standing committee shall electronically transmit the committee calendar (bills to be heard) for its next regularly scheduled meeting as early as practicable but not later than 4:30 p.m. (CST) on the same day. The Clerk's office shall publish these calendars as early as possible on the day following so that the sponsor of each bill or resolution scheduled for hearing shall be notified.

These notice provisions shall not apply to a bill or resolution transmitted by a standing committee to the Finance, Ways and Means Committee or the Committee on Calendar and Rules for recommendation.

(2) Prior to any scheduled standing committee meeting, the sponsor of any bill or resolution scheduled for hearing before said standing committee may request in writing that the chair of the standing committee set another hearing date, and the bill or resolution shall be rescheduled for hearing.

No bill or resolution can be considered in a standing committee without a sponsor as reflected in the House Journal.

Should the sponsor of a bill or resolution fail to appear before the standing committee when the bill or resolution has been scheduled two (2) times for a hearing, then the bill or resolution shall be returned to the desk of the Clerk of the House. After a bill or resolution has been sent back to the Clerk's desk, the sponsor of the legislation may appeal to the Speaker to re-refer the proposed legislation; and the Speaker shall have the discretion as to what action shall be taken.

(3) All bills or resolutions not considered controversial in nature may be placed on the committee consent calendar by the chair, after advising with the vice chair and secretary, provided the sponsor does not object. Any member of the standing committee may object to bill or resolution placed on the Committee Consent Calendar, and if objection is raised, the bill or resolution shall be removed from the Committee Consent Calendar and thereafter shall be acted upon by the standing committee.

The Committee Consent Calendar shall be printed and posted in regular places at least seventy-two (72) hours in advance of the time set for consideration of such calendar so that each member of the House may know the status of the legislation pending before the standing committee.

WEDNESDAY, JANUARY 30, 1991 -- THIRD LEGISLATIVE DAY

(4) Standing committees of the House shall meet at the times and places specified in the official committee schedule adopted pursuant to House Rule 65.

(5) A standing committee may hold a special committee meeting with approval of the Speaker at a time and place other than that specified in the official schedule of committee meetings. All special meetings, except meetings held when the House is in recess or adjourned, shall be announced in open session by the chair of the committee. Special meetings held on days when the House is in recess or adjourned shall be announced in advance in open session or by written notice furnished to each member of the House not less than seventy-two (72) hours prior to the meeting time.

(6) If a regular scheduled meeting of a standing committee is canceled, the chair shall announce such cancellation in open session of the House prior to the time fixed for the meeting if possible. If it is not possible for the chair to announce such cancellation in open session, all members of the House shall be given written notice or shall direct the committee staff to make every effort to notify each member of the committee and any other members of the House likely to have business before the committee of such cancellation.

(7) A quorum shall consist of a majority of the members of a given standing committee.

(8) Committee meetings shall be open to the public at all times unless the business of the committee concerns itself with matters of national or state security or the investigation of a proposed impeachment, which, in each separate instance, shall be determined by a three-fourths (3/4) majority of the committee members present and voting.

(9) When a standing committee recommends a bill for passage only with the adoption of an amendment or amendments approved by a majority vote of the standing committee, the committee chair shall cause such committee amendment or amendments to be prepared in proper typewritten form and filed with the Chief Clerk of the House as soon as is practicable. The amendment or amendments should be properly designated as having been recommended in committee and should be signed by the committee chair or the chair's designee before being presented to the Chief Clerk who shall then observe the rules of the House in causing such amendment or amendments to be printed and distributed to all members of the House. No committee amendments shall be accepted by the Chief Clerk for filing unless said amendment is labeled with a system entry code assigned by the Office of Legal Services. The Calendar and Rules Committee shall not consider any bill recommended by a standing committee until any amendment or amendments adopted by the standing committee have been attached to the bill. The chair shall be responsible for having such amendments delivered within twenty-four (24) hours in typewritten form to the Chief Clerk, who shall attach such amendments to the bill.

WEDNESDAY, JANUARY 30, 1991 -- THIRD LEGISLATIVE DAY

(10) No bill or resolution shall be reported from a standing committee unless it shall have received a recommendation for passage as written or for passage with a recommended amendment by a majority of those members of the committee present and voting thereon, a quorum being present. All votes constituting final action on any bill or resolution shall be by roll call vote, and a roll call vote shall be taken at the request of the sponsor of the bill or resolution under consideration or at the request of any three (3) members of the committee. Every bill or resolution reported out of the committee shall contain on the cover a notation in ink, signed by the chair, or other presiding officer, recommending the measure for passage as written or recommending it for passage with an amendment or amendments recommended by the committee. If a motion to recommend a bill or resolution has been voted on by a standing committee two (2) times and has failed to pass, then the same shall not be considered by the committee again during that annual session. This rule shall also apply to the Committee on Calendar and Rules.

(11) A written report of the action taken in reporting bills or resolutions out of committee shall be prepared under the direction of the committee chair and submitted promptly together with the bills and resolutions and committee amendments, if any, to the Chief Clerk of the House.

(12) The chair of a standing committee shall be responsible for the safe delivery of bills from the Chief Clerk's bill safe to any meeting of the committee and for their return following the meeting but may delegate such responsibility to a committee officer or member or to the proper legislative staff personnel.

(13) A standing committee chair may create such continuing or ad hoc subcommittees as the chair considers necessary and appropriate to deal with designated subjects within the scope of the subject jurisdiction of the committee. But there shall be no more than four standing subcommittees in each standing committee. No ad hoc committee shall have the power to kill a bill. The committee chair shall appoint members to any subcommittee so authorized and shall name the chair thereof.

A subcommittee of a standing committee shall have authority to consider only such bills, resolutions, or subjects as may be assigned to it by the standing committee which created it. Such a subcommittee shall report only to the standing committee chair unless directed otherwise by the House. No subcommittee may meet while the standing committee of which it is a part is in session without the consent of the standing committee.

If the chair of a standing committee deems it appropriate after advising with the vice chair and secretary, to assign a bill to a subcommittee, said bill must be assigned to such subcommittee within five (5) legislative days after its passage on second consideration and referral to standing committee, or following the receipt of a fiscal note if said bill is referred to the committee on finance, ways and means unless otherwise provided by law.

WEDNESDAY, JANUARY 30, 1991 -- THIRD LEGISLATIVE DAY

If the chair of a standing committee deems it appropriate, after advising with the vice chair and secretary, to assign a bill or resolution which has been referred to it after recommendation for passage by another standing committee to a subcommittee, said bill must be assigned to such subcommittee within seven (7) calendar days of its receipt.

When a bill or resolution is assigned to a subcommittee by the chair of a standing committee, the subcommittee chair, the sponsor, the chief clerk, and the director of legislative services shall be notified electronically by the chair of the assignment, of said bill, the date of assignment, and the name of the subcommittee.

The request of the sponsor for a bill or resolution to be heard by a committee or subcommittee shall be filed with the standing committee. The chair of the standing committee shall electronically notify the chair of the subcommittee that the sponsor has requested the bill or resolution to be heard. The chair of said subcommittee shall set and publish the date and the calendar of bills to be heard and shall electronically and by printed calendar notify the sponsor of bills or resolutions to be heard, the chief clerk, and the director of the office of legislative services.

The chair of the standing committee or the subcommittee shall provide copies of the calendar and electronic notice of bills to be heard to the chief clerk and the director of legislative services.

An electronic report of the action taken by a subcommittee on each bill or resolution which it considers shall be prepared by the chair of said subcommittee and submitted to the chair of the standing committee, the chief clerk, and the director of the office of legislative services.

When a bill or resolution is reported from a subcommittee, said bill or resolution shall be placed by the chair of the standing committee on the calendar of the next scheduled meeting of the standing committee unless the sponsor of said bill or resolution requests in writing that the chair of the standing committee set another hearing date.

(14) A motion to reconsider any committee action and to have the motion entered in the Journal (or records of the committee) shall be determined by a two-thirds (2/3) majority of the committee members, and shall not operate to give the mover possession or control of any measure for any ensuing period of time. It shall be treated as a simple motion to reconsider, and its effect shall be the same.

(15) No proxy votes shall be permitted in a standing committee for any purpose.

(16) The vote of the chair of a standing committee shall be recorded in the manner and time as any other member of the committee.

(17) If a member of a standing committee will be unable to

WEDNESDAY, JANUARY 30, 1991 -- THIRD LEGISLATIVE DAY

attend said meeting, that member shall request an excused absence from the chair. If any appointed member of a standing committee is absent from two (2) regularly scheduled meetings of the committee without being excused by the chair, the chair shall report such absences to the Speaker of the House.

(18) In the absence of a quorum, the chair or other presiding officer shall have authority to direct the Sergeant-at-Arms to secure the presence of a sufficient number of members to constitute a quorum.

(19) In the absence of any express designation or appointment of any officers of a joint committee or joint subcommittee, the members thereof shall elect a chair and such other officers as are considered necessary by the committee.

(20) All committee minutes shall reflect attendance of members. Members shall be paid in accordance with the provisions of the law governing payment of per diem allowance to members of the General Assembly. The chair of each standing committee is charged with the duty and responsibility of providing and certifying to the Speaker the roll call vote of such committee and a listing of those sponsors appearing before the committee seeking action on their bills or resolutions.

(21) Except as stated in the foregoing rules, the Rules of Order of the House of Representatives shall apply wherever appropriate. Other special rules shall not be adopted by committees.

REMARKS

Rep. Copeland requested that the following remarks be spread in the Journal:

January 30, 1991

The issue being discussed today is fair-representation for our respective constituencies.

The issue is not, as some have indicated, petty partisan bickering over control, because the majority party has undisputed control by virtue of the fact that their number in this chamber is 57 while the number of the minority party members is 42.

The issue is in fact, whether or not each of our constituencies is honestly and fairly represented in matters which are decided by the General Assembly, and more specifically by this House of Representatives.

I believe that when they elected each of us they expected us to be their voice - to speak for and to vote for them, and that the weight of one vote representing any constituency would have the same value as the weight of one vote representing every constituency.

WEDNESDAY, JANUARY 30, 1991 -- THIRD LEGISLATIVE DAY

But, the Tennessee Constitution through which they compacted to delegate certain of their inherent rights and powers to be exercised in their best interest by government, also provides that the government (in this instance the House) may make the rules by which it operates.

Those rules, which we seek to change, were written in 1973 and continue to this day despite efforts to change to achieve fairness and honest value for each vote, effectively deny many citizens their reasonable expectation to be fairly represented.

That unfairness is not petty party bickering, because many of those citizens who are not fairly represented are Democrats as well.

The House Rules create a committee system and a Committee on Calendar and Rules which has the effect of allowing 42 members of this House to decide what bills may, and what bills may not be heard of the House floor.

It matters not that arguments are advanced that the Calendar Committee rarely kills bills; benevolent dictatorships are said to be the most effective government, but we have fought wars over the right to participate in the governmental process, and accept the premise that ultimately the majority rules.

However, House Rules allow 42 members to rule, not the majority.

Additionally, because bills may be routed through two committees or through several committees, the seeming impartiality disclosed in standing committee membership disappears when calculations reveal the percentage of votes which will be cast by each party as bills are being considered and weighed before reaching the House floor.

Though it appears that Republicans are in the majority on Agriculture, and exceed their proportion of House membership on Commerce, Conservation and Environment, Consumer and Employee Affairs, Education, Judiciary, and Transportation Committees an analysis reveals a different picture.

Of the standing committees there are 152 Democrat and 86 Republican votes which translates into 64% Democrat and 36% Republican while the respective proportions of the House Membership are 58% and 42%.

Even more revealing is the fact that assuming that all bills will go to one standing committee and the Committee on Calendar and Rules, and may go to other standing committees and the infamous Blackhole Committee the percentages of votes changes significantly.

Given those assumptions, by the time any bill reaches the floor of the House which traveled one of three paths through committee (standing and calendar), (2 standing and calendar), (2 standing, blackhole and calendar) the following will have occurred in the committee system.

WEDNESDAY, JANUARY 30, 1991 -- THIRD LEGISLATIVE DAY

No matter the standing committee(s), Republicans will never control more than 38% of committee votes, and may control as little as 9% of all committee votes -- when Republicans are 42% of the House and represent 42% of Tennesseans.

It is time that fairness return to the Tennessee House of Representatives. It is time that all citizens are fairly represented and not unfairly represented. It is time that we demand that one vote is worth as much as any other vote, without regard to the political party with which each of us may be aligned.

The Majority party has numerical control and that is indisputable. Must it also perpetuate and champion rules calculated to dominate and subjugate all those citizens who elected representative who is not of their persuasion?

ANNOUNCEMENTS

REPORT FILED

The Clerk announced that, in accordance with TCA 50-7-506, the Department of Employment Security has filed with the Clerk's Office a copy of the Unemployment Insurance Trust Fund Balance Report.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 2: Rep(s). Jackson as prime sponsor(s).

House Bill No. 3: Rep(s). Jackson as prime sponsor(s).

House Bill No. 53: Rep(s). Curlee as prime sponsor(s).

House Bill No. 63: Rep(s). Buck, Curlee and Ridgeway as prime sponsor(s).

House Bill No. 133: Rep(s). Wood as prime sponsor(s).

House Bill No. 168: Rep(s). Buck, Hargrove, Hillis, Winningham and Wix as prime sponsor(s).

House Bill No. 176: Rep(s). Bivens, Buck, Callicott, Collier, Crain, Curlee, Davis (Gibson), Jackson, Liles, McDaniel, Napier and Pruitt as prime sponsor(s).

House Joint Resolution No. 1: Rep(s). Joyce as prime sponsor(s).

House Joint Resolution No. 3: Rep(s). Rigsby as prime sponsor(s).

House Joint Resolution No. 4: Rep(s). Rigsby as prime sponsor(s).

WEDNESDAY, JANUARY 30, 1991 -- THIRD LEGISLATIVE DAY

House Joint Resolution No. 5: Rep(s). Rigsby as prime sponsor(s).

INTRODUCTION OF RESOLUTIONS

On motion, the resolution(s) listed was/were introduced and referred as noted:

House Joint Resolution No. 0027 -- Naming and Designating -- J.D. White Gymnasium. by *Rhinehart.

Referred by the Speaker to the Calendar and Rules Committee.

House Joint Resolution No. 0029 -- Naming and Designating -- Murfreesboro, "Biggest small town in Tennessee.". by *Bragg.

Referred by the Speaker to the Calendar and Rules Committee.

House Joint Resolution No. 0030 -- Memorials, Retirement -- General Carl Wallace. by *Bragg.

Referred by the Speaker to the Calendar and Rules Committee.

House Joint Resolution No. 0031 -- Memorials, Sports -- Coach Benny P. Hammonds, "Coach of the Year". by *Huskey, *Davis R E.

Referred by the Speaker to the Calendar and Rules Committee.

House Joint Resolution No. 0032 -- Memorials, Sports -- Humphreys County Belles All-Star softball team. by *Collier.

Referred by the Speaker to the Calendar and Rules Committee.

***House Joint Resolution No. 0033 -- General Assembly, Studies -- Creates special joint committee to study issues relative to units of local government. by *Copeland, *Rhinehart.**

Referred by the Speaker to the State and Local Government Committee.

***House Joint Resolution No. 0034 -- General Assembly, Studies -- Continues HJR 25 to study responsibility of local government to enact and administer local building, zoning and other regulatory codes. by *Copeland, *Rhinehart.**

Referred by the Speaker to the State and Local Government Committee.

***House Joint Resolution No. 0035 -- Constitutional Amendments -- Replaces all taxes initially with flat rate sales and income taxes. by *Copeland.**

Referred by the Speaker to the Judiciary Committee.

***House Joint Resolution No. 0036 -- Constitutional Amendments -- Replaces all taxes initially with flat rate sales and income taxes; exempts some income. by *Copeland.**

WEDNESDAY, JANUARY 30, 1991 -- THIRD LEGISLATIVE DAY

Referred by the Speaker to the Judiciary Committee.

House Joint Resolution No. 0037 -- Memorials, Personal Achievement -- Joe Knox. by *Davis R E.

Referred by the Speaker to the Calendar and Rules Committee.

***House Joint Resolution No. 0038** -- Memorials, Government Officials -- Requests department of human services to study Virginia Resource Mothers Programs. by *Pruitt, *Armstrong, *Dixon, *Purcell.

Referred by the Speaker to the Health and Human Resources Committee.

House Joint Resolution No. 0039 -- Memorials, Sports -- Paris-Henry County Babe Ruth all-star team. by *Ridgeway.

Referred by the Speaker to the Calendar and Rules Committee.

House Joint Resolution No. 0040 -- Memorials, Retirement -- Wallace S. Prescott, Interim President of MTSU. by *Bragg.

Referred by the Speaker to the Calendar and Rules Committee.

RULES SUSPENDED

Rep. Buck moved to suspend the rule to recall Senate Joint Resolution No. 13 from the Calendar and Rules Committee, which motion prevailed.

Senate Joint Resolution No. 0013 -- Naming and Designating -- Purple Martin Capital, Mt. Juliet.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Buck, the resolution was concurred in.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. DeBerry moved to suspend the rules so that the Corrections Oversight Committee could meet on Thursday for organizational purposes, which motion prevailed.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 0180 -- Sunset Laws -- Extends termination of

WEDNESDAY, JANUARY 30, 1991 -- THIRD LEGISLATIVE DAY

board of optometry. Amends TCA, Title 4, Ch. 29; Title 63, Ch. 8; Title 68, Ch. 1. by *King, *Garrett, *Kernell.

Passed first consideration.

***House Bill No. 0181** -- District Attorneys -- Creates additional criminal investigator position for 8th judicial district. Amends TCA 16-2-506. by *Windle.

Passed first consideration.

***House Bill No. 0182** -- Appropriations -- Appropriates funds for York Institute. by *Windle.

Passed first consideration.

***House Bill No. 0183** -- Consumer Protection -- Requires stricter disclosures and representatives in camping promotional offers. Amends TCA 47-18-405. by *Bragg.

Passed first consideration.

***House Bill No. 0184** -- Consumer Protection -- Requires certain disclosure by campground operators in promotion offers. Amends TCA 47-18-405. by *Bragg.

Passed first consideration.

***House Bill No. 0185** -- Consumer Protection -- Revises disclosure requirements of certain promotional or gift offers. Amends TCA 66-32-133. by *Bragg.

Passed first consideration.

***House Bill No. 0186** -- Consumer Protection -- Requires time share promoters to disclose certain information. Amends TCA 66-32-133. by *Bragg.

Passed first consideration.

***House Bill No. 0187** -- District Attorneys -- Requires state assumption of employee retirement contributions of criminal investigators for district attorneys general. Amends TCA 8-34-206. by *Rhinehart.

Passed first consideration.

House Bill No. 0188 -- Dams -- Revises Safe Dams Act to establish liability for maintenance of roadways on certain dams. Amends TCA, Title 69, Ch. 12, Pt. 1. by *Huskey, *Anderson.

Passed first consideration.

House Bill No. 0189 -- Sports -- Requires commissioner of education to certify organizations which regulate athletic events at

WEDNESDAY, JANUARY 30, 1991 -- THIRD LEGISLATIVE DAY

public secondary schools. Amends TCA, Title 49. by *Huskey, *Davis R E.

Passed first consideration.

***House Bill No. 0190** -- Judicial Districts -- Adds criminal investigator position to 3rd judicial district. Amends TCA 16-2-506, 508. by *Johnson.

Passed first consideration.

House Bill No. 0191 -- Election Laws -- Authorizes election commission to appoint designee for supplemental voter registration at high schools, colleges and universities. Amends TCA 2-2-111, 112. by *Hubbard, *Holcomb, *Venable.

Passed first consideration.

House Bill No. 0192 -- Education -- Establishes progressive pilot program for secondary schools. Amends TCA, Title 49. by *Hubbard.

Passed first consideration.

House Bill No. 0193 -- County Government -- Allows retention of civil penalties by county health departments under certain circumstances. Amends TCA 4-3-204. by *Haley.

Passed first consideration.

House Bill No. 0194 -- Agriculture, Dept. of -- Mandates that commissioner allow retention of permit fees by certain county health departments. Amends TCA 53-8-205. by *Haley.

Passed first consideration.

***House Bill No. 0195** -- Handicapped Persons -- Allows handicapped placards and registration to be issued to owners of motorcycles. Amends TCA, Title 55, Ch. 21. by *Napier, *Halteman, *DeBerry.

Passed first consideration.

***House Bill No. 0196** -- Education -- Creates pilot program to teach business and entrepreneurial skills to certain at-risk black youth. Amends TCA, Title 49. by *DeBerry.

Passed first consideration.

***House Bill No. 0197** -- Motor Vehicles, Titling and Registration -- Returns words "Volunteer State" to motor vehicle registration plates. Amends TCA, Title 55, Ch. 4. by *Wood, *Meyer, *McAfee.

Passed first consideration.

WEDNESDAY, JANUARY 30, 1991 -- THIRD LEGISLATIVE DAY

***House Bill No. 0198** -- Sales -- Repeals unfair cigarette sales law. Amends TCA, Titles 47, 48. by *Copeland.

Passed first consideration.

***House Bill No. 0199** -- Alcoholic Beverages -- Increases from Class C to Class B misdemeanor illicit manufacture, transportation or possession of alcoholic beverages. Amends TCA, Title 57. by *Copeland.

Passed first consideration.

***House Bill No. 0200** -- Taxes, Gasoline, Petroleum Products -- Increases gas tax by 1 cent. Amends TCA, Title 67, Ch. 3. by *Copeland.

Passed first consideration.

***House Bill No. 0201** -- Appropriations -- Makes appropriations for the purpose of defraying the expenses of state government. Amends Chapter 1085, Public Acts of 1990. Amends TCA, Title 10, Ch. 85. by *Copeland.

Passed first consideration.

House Bill No. 0202 -- Employees, Employers -- Corrects engrossing error in Hazardous Chemical Right to Know Law. Amends TCA, Title 50. by *Copeland.

Passed first consideration.

House Bill No. 0203 -- Criminal Offenses -- Makes vandalism or destruction of caves specific criminal offense. Amends TCA, Title 11, Ch. 5, Pt. 2. by *West, *Huskey, *Davis R E.

Passed first consideration.

House Bill No. 0204 -- Hazardous Materials -- Enacts "County Hazardous Substance Response Act of 1991". Amends TCA, Title 68, Ch. 46. by *Callicott, *Liles, *Stamps, *Jackson, *Moore.

Passed first consideration.

***House Bill No. 0205** -- Courts, General Sessions -- Creates new general sessions court in certain counties. Amends Chapter 772, Public Acts of 1982. by *Kent, *Byrd, *Haley.

Passed first consideration.

House Bill No. 0206 -- Appropriations -- Makes supplemental appropriation for Shelby County district attorney's office. by *Kent.

Passed first consideration.

WEDNESDAY, JANUARY 30, 1991 -- THIRD LEGISLATIVE DAY

House Bill No. 0207 -- Fees -- Allows county trustee to collect negotiated fee for collection of municipal taxes pursuant to functional consolidation agreement. Amends TCA 8-11-110. by *Kent.

Passed first consideration.

House Bill No. 0208 -- School Transportation -- Makes warning flashers optional on school speed zone signs. Amends TCA 55-8-152. by *Kent.

Passed first consideration.

***House Bill No. 0209 -- Taxes, Severance --** Removes certain counties from certain severance tax laws. Amends TCA 67-7-211. by *Davis R E.

Passed first consideration.

***House Bill No. 0210 -- Real Property --** Establishes method for proving chain of title in certain circumstances. Amends TCA, Title 29, Ch. 15, Pt. 1. by *Davis R E.

Passed first consideration.

***House Bill No. 0211 -- Civil Procedure --** Increases penalty for repossessing premises from which has been dispossessed by action. Amends TCA, Title 29. by *Odom.

Passed first consideration.

***House Bill No. 0212 -- Inheritance Laws --** Imposes Class B misdemeanor penalty for fraudulent conveyance to defeat surviving spouse's interests. Amends TCA, Title 31. by *Odom.

Passed first consideration.

***House Bill No. 0213 -- Wills --** Increases penalty for willful misconduct relative to living wills from Class C to Class B misdemeanor. Amends TCA, Title 32. by *Odom.

Passed first consideration.

***House Bill No. 0214 -- Estates --** Extends time from ten to fifteen days for clerk to file report on objections to distribution of insolvent estates. Amends TCA, Title 30. by *Odom.

Passed first consideration.

***House Bill No. 0215 -- Mental Health and Mental Retardation, Dept. of --** Increases penalty for furnishing false information to secure admission of mentally ill or retarded from Class C to Class B misdemeanor. Amends TCA, Title 33. by *Odom.

Passed first consideration.

WEDNESDAY, JANUARY 30, 1991 -- THIRD LEGISLATIVE DAY

***House Bill No. 0216** -- State Government -- Defines preferences to be accorded blind vendors. Amends TCA 71-4-504. by *Odom.

Passed first consideration.

***House Bill No. 0217** -- Health -- Enacts "Poison Control Act of 1991". Amends TCA, Title 68, Ch. 43. by *Odom.

Passed first consideration.

House Bill No. 0218 -- White County -- Increases sum above which purchases are required to be competitively bid. Repeals Chapter 16, Private Acts of 1951, as amended. by *Hillis, *Rhinehart.

Passed first consideration.

***House Bill No. 0219** -- Dieticians and Nutritionists -- Revises period of renewal of licenses. Amends TCA, Title 4, Ch. 29; Title 63, Ch. 25, Pt. 1. by *Kernell.

Passed first consideration.

House Bill No. 0220 -- Taxes, Income -- Increases exemption from Hall income tax for person over 65. Amends TCA, Title 67, Ch. 2. by *Kernell.

Passed first consideration.

***House Bill No. 0221** -- Boards and Commissions -- Requires certain boards and commissions to give notice to licensees of board meetings and board minutes. by *Kernell.

Passed first consideration.

***House Bill No. 0222** -- Solid Waste Disposal -- Increases time for local governing body to approve or disapprove of new solid waste disposal plan. Amends TCA, Title 68. by *Kernell.

Passed first consideration.

***House Bill No. 0223** -- Hospitals and Health Care Facilities -- Prohibits discrimination based on financial ability to pay in transferring patients between hospitals. Amends TCA, Title 68, Ch. 11. by *Kernell.

Passed first consideration.

***House Bill No. 0224** -- Hazardous Materials -- Restricts deep well injection of hazardous wastes. Amends TCA, Title 69, Ch. 3. by *Kernell.

Passed first consideration.

***House Bill No. 0225** -- Hazardous Materials -- Increases percentage of hazardous waste to be reduced by 1995. Amends TCA,

WEDNESDAY, JANUARY 30, 1991 -- THIRD LEGISLATIVE DAY

Title 68. by *Kernell.

Passed first consideration.

***House Bill No. 0226** -- Taxes, Privilege -- Imposes tax on illegal sale, use or possession of controlled substances; designates use of proceeds. Amends TCA, Title 67, Ch. 4, Pt. 4. by *Kernell.

Passed first consideration.

***House Bill No. 0227** -- Public Service Commission -- Makes hospitals subject to regulation. Amends TCA, Titles 65, 68. by *Kernell.

Passed first consideration.

***House Bill No. 0228** -- Alcoholic Beverages -- Permits restaurants to serve alcoholic beverages under certain circumstances. Amends TCA, Title 57, Ch. 4. by *King, *Jones U.

Passed first consideration.

House Bill No. 0229 -- Psychologists -- Deletes certain specialty classifications within discipline of psychology. Amends TCA 63-11-208. by *West, *Walley.

Passed first consideration.

House Bill No. 0230 -- Sexual Offenses -- Increases minimum punishment for offense of aggravated rape. Amends TCA, Title 39, Ch. 13, Pt. 5, 40-35-111. by *Halteman, *Stamps, *Odom, *West, *Hill.

Passed first consideration.

House Bill No. 0231 -- Sexual Offenses -- Revises release eligibility criteria for certain persons convicted of rape or aggravated rape. Amends TCA 40-35-501. by *Halteman, *Stamps, *West, *Odom, *Hill.

Passed first consideration.

***House Bill No. 0232** -- Administrative Procedure -- Revises information to be provided to government operations committees by agencies filing rules and regulations. Amends TCA, Title 4, Ch. 5. by *King, *Kernell, *Garrett.

Passed first consideration.

***House Bill No. 0233** -- Sunset Laws -- Extends termination date of board of claims. Amends TCA, Title 4, Ch. 29; Title 9, Ch. 8. by *King, *Kernell, *Garrett.

Passed first consideration.

WEDNESDAY, JANUARY 30, 1991 -- THIRD LEGISLATIVE DAY

***House Bill No. 0234** -- Sunset Laws -- Extends termination date of state certification commission. Amends TCA, Title 4, Ch. 29; Title 49, Ch. 5. by *King, *Kernell, *Garrett.

Passed first consideration.

***House Bill No. 0235** -- Sunset Laws -- Extends termination date of vocational training centers, board of directors. Amends TCA, Title 4, Ch. 29; Title 49, Ch. 11. by *King, *Kernell, *Garrett.

Passed first consideration.

***House Bill No. 0236** -- Sunset Laws -- Extends termination date of board of examiners for nursing home administrators. Amends TCA, Title 4, Ch. 29; Title 63, Ch. 16; Title 68, Ch. 11. by *King, *Kernell, *Garrett.

Passed first consideration.

***House Bill No. 0237** -- Sunset Laws -- Extends termination date of board of medical examiners. Amends TCA, Title 4, Ch. 29; Title 56, Ch. 3; Title 63, Chs. 6, 8, 19, 24; Title 68, Ch. 11. by *King, *Kernell, *Garrett.

Passed first consideration.

***House Bill No. 0238** -- Sunset Laws -- Extends termination date of Crag Font restoration commission. Amends TCA, Title 4, Chs. 13, 29. by *King, *Kernell, *Garrett.

Passed first consideration.

***House Bill No. 0239** -- Sunset Laws -- Extends termination date of board of dispensing opticians. Amends TCA, Title 4, Ch. 29; Title 63, Ch. 14; Title 68, Ch. 1. by *King, *Kernell, *Garrett.

Passed first consideration.

***House Bill No. 0240** -- Sunset Laws -- Extends termination date of board of podiatry. Amends TCA, Title 4, Ch. 29; Title 63, Ch. 3; Title 68, Ch. 1. by *King, *Kernell, *Garrett.

Passed first consideration.

***House Bill No. 0241** -- Sunset Laws -- Revises time in which public notice must be given of impending sunset reviews of governmental agencies. Amends TCA, Title 4, Ch. 29. by *King, *Kernell, *Garrett.

Passed first consideration.

***House Bill No. 0242** -- Election Laws -- Allows candidates defeated in primary to run as independent in general election. Amends TCA 2-5-101. by *Bragg.

WEDNESDAY, JANUARY 30, 1991 -- THIRD LEGISLATIVE DAY

Passed first consideration.

***House Bill No. 0243** -- Sunset Laws -- Extends termination date of West Fork Drakes Creek dam and reservoir interstate authority. Amends TCA, Title 4, Ch. 29; Title 64, Ch. 1. by *King, *Kernell, *Garrett.

Passed first consideration.

***House Bill No. 0244** -- Sunset Laws -- Extends termination date of Tennessee growth fund, board of directors. Amends TCA, Title 4, Chs. 17, 29; Title 45, Ch. 8. by *King, *Kernell, *Garrett.

Passed first consideration.

***House Bill No. 0245** -- Apportionment, Legislative -- Creates and outlines duties of Tennessee Reapportionment Commission. Amends TCA, Title 3. by *King, *Kernell, *Garrett.

Passed first consideration.

***House Bill No. 0246** -- Sunset Laws -- Extends termination date of viticulture advisory board; revises membership. Amends TCA, Title 4, Ch. 29; Title 43, Ch. 30. by *King, *Kernell, *Garrett.

Passed first consideration.

***House Bill No. 0247** -- Sunset Laws -- Extends termination date of correctional enterprises board. Amends TCA, Title 4, Ch. 29; Title 41, Ch. 22. by *King, *Kernell, *Garrett.

Passed first consideration.

***House Bill No. 0248** -- Sunset Laws -- Extends termination date of water quality control board. Amends TCA, Title 4, Ch. 29; Title 60, Ch. 1; Title 68, Chs. 13, 46; Title 69, Ch. 3. by *King, *Kernell, *Garrett.

Passed first consideration.

***House Bill No. 0249** -- Sunset Laws -- Extends termination date of pest control compact. Amends TCA, Title 4, Ch. 29; Title 43, Ch. 6. by *King, *Kernell, *Garrett.

Passed first consideration.

***House Bill No. 0250** -- Sunset Laws -- Extends termination date of Sam Davis memorial association, board of trustees. Amends TCA, Title 4, Chs. 13, 29. by *King, *Kernell, *Garrett.

Passed first consideration.

***House Bill No. 0251** -- Sunset Laws -- Extends termination date of life and health insurance guaranty association. Amends TCA, Title 4, Ch. 29; Title 56, Ch. 12. by *King, *Kernell, *Garrett.

WEDNESDAY, JANUARY 30, 1991 -- THIRD LEGISLATIVE DAY

Passed first consideration.

***House Bill No. 0252** -- Sunset Laws -- Extends termination date of board of dietitian/nutritionist examiners. Amends TCA, Title 4, Ch. 29; Title 63, Ch. 25; Title 68, Ch. 11. by *King, *Kernell, *Garrett.

Passed first consideration.

***House Bill No. 0253** -- Sunset Laws -- Adds board of certification for professional counselors, and marital and family therapists to sunset review. Amends TCA, Title 4, Ch. 29; Title 63, Ch. 2. by *King, *Kernell, *Garrett.

Passed first consideration.

***House Bill No. 0254** -- Sunset Laws -- Extends termination date of interstate mining compact. Amends TCA, Title 4, Ch. 29; Title 59, Ch. 10. by *King, *Kernell, *Garrett.

Passed first consideration.

***House Bill No. 0255** -- Sunset Laws -- Extends termination date of Tennessee claims commission. Amends TCA, Title 4, Ch. 29; Title 9, Ch. 8. by *King, *Kernell, *Kent.

Passed first consideration.

***House Bill No. 0256** -- Sunset Laws -- Extends termination date of board of osteopathic examination. Amends TCA, Title 4, Ch. 29; Title 63, Ch. 9; Title 68, Ch. 1. by *King, *Kernell, *Garrett.

Passed first consideration.

***House Bill No. 0257** -- Sunset Laws -- Extends termination date of department of health and environment. Amends TCA Titles 1-71. by *King, *Kernell, *Garrett.

Passed first consideration.

***House Bill No. 0258** -- Sunset Laws -- Extends termination date of state board for licensing contractors. Amends TCA, Title 4, Ch. 29; Title 62, Chs. 6, 32, 37. by *King, *Kernell, *Garrett.

Passed first consideration.

***House Bill No. 0259** -- Sunset Laws -- Extends termination date of local education insurance committee. Amends TCA, Title 3, Ch. 9; Title 4, Ch. 29; Title 8, Ch. 27; Title 9, Ch. 8. by *King, *Kernell, *Garrett.

Passed first consideration.

***House Bill No. 0260** -- Sunset Laws -- Extends termination date of building code appeals board; restructures board of appeals for

WEDNESDAY, JANUARY 30, 1991 -- THIRD LEGISLATIVE DAY

schools and jails. Amends TCA, Title 4, Ch. 29; Title 68, Ch. 18. by *King, *Kernell, *Garrett.

Passed first consideration.

***House Bill No. 0261** -- Sunset Laws -- Extends termination date of department of finance and administration. Amends TCA Titles 1-71. by *King, *Kernell, *Garrett.

Passed first consideration.

***House Bill No. 0262** -- Sunset Laws -- Extends termination date of agricultural hall of fame, board of governors; requires report to be delivered to general assembly. Amends Chapter 43, Public Acts of 1937, as amended. Amends TCA, Title 4, Ch. 29. by *King, *Kernell, *Garrett.

Passed first consideration.

House Bill No. 0263 -- Henry -- Changes term of office for mayor and aldermen. Amends Chapter 52, Private Acts of 1979. by *Ridgeway.

Passed first consideration.

House Bill No. 0264 -- General Assembly -- Moves portion of state representative district 75 to state representative district 76. Amends TCA, Titles 2, 3. by *Ridgeway.

Passed first consideration.

House Bill No. 0265 -- Districting, Congressional -- Redistricts congressional districts. Amends TCA, Title 2. by *Ridgeway.

Passed first consideration.

House Bill No. 0266 -- Pensions and Retirement Benefits -- Authorizes Tennessee Association of County Executives and employees to participate in TCRS. Amends TCA, Title 8, Ch. 35, Pt. 2. by *Ridgeway.

Passed first consideration.

House Bill No. 0267 -- Pensions and Retirement Benefits -- Authorizes return of Group 2 members' contributions under certain circumstances. Amends TCA, Title 8, Ch. 37, Pt. 2. by *Ridgeway, *McDaniel.

Passed first consideration.

House Bill No. 0268 -- Criminal Offenses -- Increases penalty for unlawful crossing of railroad grade crossings. Amends TCA 55-8-147. by *Ridgeway.

Passed first consideration.

WEDNESDAY, JANUARY 30, 1991 -- THIRD LEGISLATIVE DAY

House Bill No. 0269 -- Election Laws -- Enacts "Tennessee Ballot Integrity Act of 1990". Amends TCA, Title 2. by *Ridgeway.

Passed first consideration.

House Bill No. 0270 -- Education -- Revises school attendance laws if a person owns real property located in more than one county. Amends TCA, Title 49, Ch. 6. by *Collier.

Passed first consideration.

House Bill No. 0271 -- General Assembly -- Requires that formal action to name or rename a public structure or facility must be by legislative enactment or joint resolution. Amends TCA, Title 3, Ch. 2. by *Collier.

Passed first consideration.

House Bill No. 0272 -- Marshall County -- Creates office of county attorney. Amends Chapter 29, Private Acts of 1977. by *Phillips.

Passed first consideration.

***House Bill No. 0273** -- Gambling -- Permits manufacture of gambling devices by certain business. Amends TCA, Title 39, Ch. 17, Pt. 5. by *Phillips.

Passed first consideration.

***House Bill No. 0274** -- Game and Fish Laws -- Authorizes issuance of falconry permits up to three years. Amends TCA 70-4-403. by *Curlee.

Passed first consideration.

House Bill No. 0275 -- Education, Higher -- Revises scholarship amounts. Amends TCA 49-4-707. by *Curlee.

Passed first consideration.

***House Bill No. 0276** -- Taxes, Sales -- Transfers exemption for certain printing materials. Amends TCA, Title 67. by *Rhinehart.

Passed first consideration.

House Bill No. 0277 -- General Assembly -- Prohibits former member to act as lobbyist for certain period. Amends TCA, Title 39, Ch. 6. by *Fowlkes.

Passed first consideration.

***House Bill No. 0278** -- Hospitals and Health Care Facilities -- Restructures membership of board for licensing health care facilities. Amends TCA 68-11-203. by *Dixon, *Pruitt, *Armstrong.

WEDNESDAY, JANUARY 30, 1991 -- THIRD LEGISLATIVE DAY

Passed first consideration.

***House Bill No. 0279** -- Banks and Financial Institutions -- Clarifies rights and liabilities of banks and individuals under certain deposits held in trust and payable on death accounts. Amends TCA 45-2-704. by *Holt.

Passed first consideration.

***House Bill No. 0280** -- Courts, General Sessions -- Increases jurisdiction and compensation of certain general sessions judges. Amends TCA 16-15-5004. by *Windle.

Passed first consideration.

***House Bill No. 0281** -- Budget Procedures -- Provides mechanism for amending county budget. Amends TCA, Title 5, Chs. 9, 12, 21. by *Hubbard.

Passed first consideration.

House Bill No. 0282 -- Pulaski -- Revises charter. Amends Chapter 711, Private Acts of 1949, as amended. by *Fowlkes.

Passed first consideration.

***House Bill No. 0283** -- Pensions and Retirement Benefits -- Allows employment of retired employees as substitute teachers without losing benefits under certain circumstances. Amends TCA 8-36-805. by *Rhinehart.

Passed first consideration.

***House Bill No. 0284** -- Firearms and Ammunition -- Authorizes disposition of confiscated weapons in same manner that sheriffs dispose of weapons. Amends TCA 39-17-1317, 1318. by *Rhinehart.

Passed first consideration.

***House Bill No. 0285** -- Solid Waste Disposal -- Enacts "Responsible Solid Waste Disposal Company Act of 1991". Amends TCA, Title 68, Ch. 31. by *Odom.

Passed first consideration.

***House Bill No. 0286** -- Food and Food Products -- Increases penalties for violations of prohibited acts under Food, Drug and Cosmetic Act to Class A misdemeanor. Amends TCA, Title 53. by *Odom.

Passed first consideration.

House Bill No. 0287 -- Driver Licenses -- Permits reinstatement of driving privileges in certain circumstances. Amends TCA 55-12-114. by *Odom.

WEDNESDAY, JANUARY 30, 1991 -- THIRD LEGISLATIVE DAY

Passed first consideration.

***House Bill No. 0288** -- Utilities, Utility Districts -- Alters method for selecting the board of commissioners for certain utility districts. Amends TCA, Title 7, Ch. 82. by *Odom, *Callicott.

Passed first consideration.

***House Bill No. 0289** -- Utilities, Utility Districts -- Directs comptroller to publish report on certain issues relative to utility districts. Amends TCA, Title 7. by *Odom, *Callicott.

Passed first consideration.

***House Bill No. 0290** -- Utilities, Utility Districts -- Establishes method of selecting utility district commissioners; determines number and length of terms. Amends TCA, Title 7, Ch. 82. by *Odom, *Callicott.

Passed first consideration.

***House Bill No. 0291** -- Fund Raising -- Limits contributions in state elections. Amends TCA, Title 2, Ch. 10. by *Odom.

Passed first consideration.

***House Bill No. 0292** -- Fund Raising -- Allows local governments to limit contributions in local elections. Amends TCA, Title 2, Ch. 10. by *Odom.

Passed first consideration.

***House Bill No. 0293** -- Election Laws -- Deletes posting requirements for list of persons who register to vote by mail. Amends TCA 2-2-115. by *Collier.

Passed first consideration.

***House Bill No. 0294** -- Motor Vehicles -- Exempts certain licensed motor vehicle dealers from obtaining automobile auction license under certain circumstances. Amends TCA 55-17-109. by *Collier, *Rigsby.

Passed first consideration.

***House Bill No. 0295** -- Taxes, Real Property -- Authorizes state to pay in lieu of taxes to certain counties under certain circumstances. Amends TCA, Title 67, Ch. 5. by *Windle.

Passed first consideration.

***House Bill No. 0296** -- Taxes, Excise -- Extends loss carryover time period. Amends TCA, Title 67. by *Bragg.

Passed first consideration.

WEDNESDAY, JANUARY 30, 1991 -- THIRD LEGISLATIVE DAY

***House Bill No. 0297** -- Taxes, Income -- Provides maximum time period for deduction of net operating loss. Amends TCA 67-4-805. by *Bragg.

Passed first consideration.

***House Bill No. 0298** -- Taxes, Franchise -- Changes report filing date. Amends TCA, Title 67. by *Bragg.

Passed first consideration.

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred to committee or held on the Clerk's desk as noted:

***House Bill No. 0153** -- Sunset Laws -- Passed second consideration and referred to the Government Operations Committee.

***House Bill No. 0154** -- Sunset Laws -- Passed second consideration and referred to the Government Operations Committee.

***House Bill No. 0155** -- Sunset Laws -- Passed second consideration and referred to the Government Operations Committee.

***House Bill No. 0156** -- Sunset Laws -- Passed second consideration and referred to the Government Operations Committee.

***House Bill No. 0157** -- Sunset Laws -- Passed second consideration and referred to the Government Operations Committee.

***House Bill No. 0158** -- Sunset Laws -- Passed second consideration and referred to the Government Operations Committee.

***House Bill No. 0159** -- Sunset Laws -- Passed second consideration and referred to the Government Operations Committee.

***House Bill No. 0160** -- Sunset Laws -- Passed second consideration and referred to the Government Operations Committee.

***House Bill No. 0161** -- Sunset Laws -- Passed second consideration and referred to the Government Operations Committee.

***House Bill No. 0162** -- Sunset Laws -- Passed second consideration and referred to the Government Operations Committee.

***House Bill No. 0163** -- Sunset Laws -- Passed second consideration and referred to the Government Operations Committee.

***House Bill No. 0164** -- Sunset Laws -- Passed second consideration and referred to the Government Operations Committee.

WEDNESDAY, JANUARY 30, 1991 -- THIRD LEGISLATIVE DAY

***House Bill No. 0165 -- Sunset Laws --** Passed second consideration and referred to the Government Operations Committee.

***House Bill No. 0166 -- Sunset Laws --** Passed second consideration and referred to the Government Operations Committee.

***House Bill No. 0167 -- Agriculture --** Passed second consideration and referred to the Agriculture Committee.

***House Bill No. 0168 -- Appropriations --** Passed second consideration and referred to the Transportation Committee.

House Bill No. 0169 -- Taxes, Real Property -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0170 -- Utilities, Utility Districts -- Passed second consideration and referred to the Judiciary Committee.

***House Bill No. 0171 -- Assessors --** Passed second consideration and referred to the State and Local Government Committee.

***House Bill No. 0172 -- Game and Fish Laws --** Passed second consideration and referred to the Conservation and Environment Committee.

***House Bill No. 0173 -- Game and Fish Laws --** Passed second consideration and referred to the Conservation and Environment Committee.

House Bill No. 0174 -- Civil Service -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0175 -- Private Investigators -- Passed second consideration and referred to the Commerce Committee.

***House Bill No. 0176 -- Hospitals and Health Care Facilities --** Passed second consideration and referred to the Health and Human Resources Committee.

House Bill No. 0177 -- Mason -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

***House Bill No. 0178 -- Public Service Commission --** Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0179 -- White County -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

WEDNESDAY, JANUARY 30, 1991 -- THIRD LEGISLATIVE DAY

**REPORT OF COMMITTEE ON CALENDAR AND RULES
CONSENT CALENDAR
January 30, 1991**

MR. SPEAKER: The officers of your Calendar and Rules Committee report that we have set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **Monday, February 4, 1991**: House Joint Resolution(s) No(s). 29, 30, 31, 32, 37, 39 and 40.

PHILLIPS, Chair.

**MESSAGE FROM THE SENATE
January 30, 1991**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 35; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Senate Joint Resolution No. 0035 -- Memorials, Retirement -- Arzo Carson, Director, Tennessee Bureau of Investigation. by *O'Brien, et al.

**MESSAGE FROM THE SENATE
January 30, 1991**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 8, 9, 13, 15, 17, 18 and 19; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

**MESSAGE FROM THE SENATE
January 30, 1991**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 34, 36, 38, 39, 40, 41, 42, 43, 44, 46 and 47; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Senate Joint Resolution No. 0034 -- Memorials, Death -- Walter "Buck" Van Huss. by *Montgomery, Greer, et al.

Senate Joint Resolution No. 0036 -- Memorials, Professional and Business Achievement -- Beachaven Vineyards and Winery. by *Darnell.

Senate Joint Resolution No. 0038 -- Memorials, Death -- James Buchanan. by *McKnight.

WEDNESDAY, JANUARY 30, 1991 -- THIRD LEGISLATIVE DAY

Senate Joint Resolution No. 0039 -- Memorials, Death -- Albert Wilson. by *Springer.

Senate Joint Resolution No. 0040 -- Memorials, Death -- Coach Ron Wallace. by *Springer.

Senate Joint Resolution No. 0041 -- Memorials, Death -- Greg O'Rear. by *Springer, et al.

Senate Joint Resolution No. 0042 -- Memorials, Public Service -- Cleveland Associated Industries, service to Cleveland and Bradley County. by *Patten.

Senate Joint Resolution No. 0043 -- Memorials, Retirement -- Charles E. Hall, Mayor, Tellico Plains. by *Patten.

Senate Joint Resolution No. 0044 -- Memorials, Death -- Alexander Guerry, Jr. by *Patten, *Crutchfield, *Albright.

Senate Joint Resolution No. 0046 -- Memorials, Death -- Joe Hamilton. by *McKnight.

Senate Joint Resolution No. 0047 -- Memorials, Professional and Business Achievement -- Darrell W. Christian. by *McKnight.

ROLL CALL

The roll call was taken with the following results:

Present 95

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas, Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

On motion of Rep. Purcell, the House recessed until 9:00 a.m., Thursday, January 31, 1991.